



File for
15/1/71
R.A.

राजपत्र, हिमाचल प्रदेश,
हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

खण्ड 19]

शिमला, शनिवार, 30 जनवरी, 1971/10 माघ, 1892

[संख्या 5

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अनुपूरक	—

30 जनवरी, 1971/10 माघ, 1892 को समाप्त होने वाले सप्ताह में निम्नलिखित विज्ञप्तियां 'असाधारण राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुईं:—

विज्ञप्ति की संख्या	विभाग का नाम	विषय
No. 1-21/67-VS., dated the 25th January, 1971.	Vidhan Sabha Secretariat	Regarding Oath of Shri Des Raj Mahajan, Speaker, Himachal Pradesh, Legislative Assembly.
No. 1-21/67-VS., dated the 25th January, 1971.	-do-	Appointing of Shri Des Raj Mahajan, Speaker for conducting Oath or affirmation for Members of Legislative Assembly.
No. 1-21/67-VS., dated the 25th January, 1971.	-do-	Oath or affirmation of Members of Legislative Assembly before the Speaker.
No. 3-5/71-Elec., dated the 25th January, 1971.	Election Department	Publication of the Election Commission of India's Notification No. 508/HP/71, dated the 25th January, 1971.
No. 5-3/71-GAD (CC) I, dated the 25th January, 1971.	General Administration Department	Appointing Dr. Yeshwant Singh Parmar to be the Chief Minister of Himachal Pradesh.
No. 5-4/71-GAD (CC) II, dated the 25th January, 1971.	-do-	Appointing Ministers and Deputy Ministers in the State of Himachal Pradesh.
No. 5-5/71-GAD (CC) III, dated the 25th January, 1971.	-do-	Allocation of Departments to the Council of Ministers.
No. 5-5-71-GAD (CC) IV, dated the 25th January, 1971.	-do-	Allocating the portfolios among the Deputy Ministers.
No. 1-1/71-VS., dated the 25th January, 1971.	Lagislature Secretariat	Modifications and adaptations in the Rules of Procedure and Conduct of Business of the Legislative Assembly.
No. 6-3/71-LR., dated the 25th January, 1971.	Law Department	The Salaries and Allowances of Ministers (Himachal Pradesh) Ordinance, 1971 (No. 1 of 1971).
No. 6-2/71-LR., dated the 25th January, 1971.	-do-	The Salaries and Allowances of the Speaker and the Deputy Speaker (Himachal Pradesh) Ordinance, 1971 (No. 2 of 1971).
No. 6-4/71-LR., dated the 25th January, 1971.	-do-	The Salaries and Allowances of Members of the Legislative Assembly (Himachal Pradesh) Ordinance, 1971 (No. 3 of 1971).
No. 6-28-/67-LR., dated the 25th January, 1971.	-do-	The Himachal Pradesh Legislative Assembly Members (Removal of Disqualifications) Ordinance, 1971 (No. 4 of 1971).
No. 3-3/71-Elec., dated the 27th January, 1971.	Election Department	Republication of the Government of India Ministry of Law's Notification No. F. 13-(5)/70-Leg. II, dated the 27th January, 1971.
No. 3-3/71-Elec., dated the 27th January, 1971.	-do-	Republication of the Election Commission's Notification No. 464/HP/HP/71, dated the 27th January, 1971.
No. 3-3/71-Elec., dated the 27th January, 1971.	-do-	Republication of the Election Commission's Notification No. 464/HP/HP/71(1), dated the 27th January, 1971.

भाग 1—वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के उप-राज्यपाल और हिमाचल बेंच आफ देहली हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि

हिमाचल प्रदेश सरकार AGRICULTURE DEPARTMENT NOTIFICATION

Simla-4, the 14th January, 1971

No. 23-40/69-Agr. (Sectt.).—The Administrator (Lieutenant Governor), Himachal Pradesh with the prior agreement of Union Public Service Commission vide their letter No. F 2/6(10)/70-A. IV, dated the 29th September, 1970, is pleased to order the continuance of *ad hoc* appointment of Shri Bhagwant Pal Singh to the post of Assistant Professor of Agricultural Engineering, Himachal Agricultural College, Solan, in the Class II (Gazetted) scale of Rs. 250-25-550/25-750 (now revised to Rs. 350-25-500/30-590/30-830-35-900, with effect from 1-2-1968) for a further period upto 28-2-1971, or till the nominee of the Commission becomes available, whichever is earlier.

HARISH GUPTA,
Joint Secretary.

EDUCATION DEPARTMENT NOTIFICATION

Simla-2, the 15th January, 1971

No. 1-65/69-Secy(Edu).—On the recommendations of the Departmental Promotion Committee, the Administrator (Lieutenant Governor), Himachal Pradesh is pleased to promote Shri Narinder Singh Bawa, Lecturer in Library Science, as Librarian, Central State Library, Solan, in the scale of Rs. 250-750 (to be revised) Class-II with immediate effect, in the vacancy which secured due to retirement of Shri K. R. Sharma, Librarian, Central State Library Solan, from 1-11-1969.

2. Shri Narinder Singh Bawa, will be on two years probation in the first instance. His confirmation on expiry of probationary period is subject to his work and conduct being found satisfactory.

R. V. GUPTA,
Secretary.

FOREST DEPARTMENT NOTIFICATION

Simla-4, the 14th January, 1971

No. 8-2/70-SF.—Whereas it appears to the Lieutenant Governor of Himachal Pradesh that it is desirable to provide for the better preservation and protection of the local areas (specified in the schedule below) which had been affected or liable to be affected by the debolishment of the forests and by the action of Choes the Lieutenant Governor of the Himachal Pradesh is pleased to direct in exercise of the powers conferred by section 3 of the Punjab Land Preservation Act, 1900 that provision should be made accordingly.

SCHEDULE

District: KANGRA Tehsil: UNA

Village	Area in acres
Arniala H.B. No. 205	315
Basoli H.B. No. 457	983
Lam H.B. No. 449	216
Nangal H.B. No. 447	60
Rampur H.B. No. 209	126

P. K. MATTOO,
Secretary.

INDUSTRIES DEPARTMENT NOTIFICATION

Simla-4, the 16th January, 1971

No. 1-47/69-SI.—The Administrator (Lieutenant Governor), Himachal Pradesh is pleased to order the *ad hoc* appointment of Shri R. L. Mehta, Project Officer (Industries) Palampur as Technical Organisator at the Headquarters in the pay scale of Rs. 400-1250 for a period of one year in the first instance with immediate effect.

2. The Administrator (Lieutenant Governor) is further pleased to order that the charge of the post of Project Officer (Industries), Palampur will be held by Shri K. L. Sehgal, Deputy Director of Industries, Palampur in addition to his own duties till further orders.

By order,
P. K. MATTOO,
Secretary.

MULTI-PURPOSE PROJECTS AND POWER DEPARTMENT NOTIFICATION

Simla-2, the 31st December, 1970

No. 2-37/70-MPP (Sectt.).—Whereas it appears to the Lieutenant Governor, Himachal Pradesh that land is likely to be required to be taken by the Himachal Pradesh Government at public expense for a public purpose, namely for the construction of residential quarters for Sijul Project staff, it is hereby notified that land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Lieutenant Governor, Himachal Pradesh is pleased to authorise the officer for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Land Acquisition, Himachal Pradesh Public Works Department, Chamba.

SPECIFICATION

District: CHAMBA Tehsil: CHURAH

Village 1	Khasra No. 2	Area Big. Bis. 3 4
SARGUNI	36	1 1
	37	0 1
	45	0 1
	47	1 1
	48	0 11
	49	0 12
	50	1 0
	51	0 4
	52	1 9
	53	1 1
	54	0 3
	55	0 4

1	2	3	4
	56	6	7
	57	2	16
	58	18	6
	59	0	7
	110	1	4
	111	0	7
	112	1	10
	115	0	13
	116	0	12
	117	1	6
	119	2	17
Total ..		45	12

By order,
U. N. SHARMA,
Secretary.

PUBLIC WORKS DEPARTMENT NOTIFICATIONS

Simla-2, the 15th January, 1971

No. 2-35/70-PWD.—Whereas it appears to the Lieutenant Governor, Himachal Pradesh that land is likely to be required to be taken by the Himachal Pradesh Government at the public expense for a public purpose, namely for construction of Curves on the road near Sanjauli RD 125 to 400 and RD 718 to 980, it is hereby notified that land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Lieutenant Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants workmen to enter upon and survey any land in the locality and do all other act required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Mahasu, Simla and Bilaspur districts, Himachal Pradesh Public Works Department, Simla-1.

SPECIFICATION

District: SIMLA

Tehsil: SIMLA

Village	Khasra No.	Area Big. Bis.
SANJAULI	478/1	0 6
	544	0 2
	545	0 8
	546	0 1
	547/1	0 3
	547/2	0 3
	547/3	0 2
	547/4	0 2
	547/5	0 2
	547/6	0 6
	547/7	
	547/8	0 3
	550/1	0 1
Total ..		1 19

Whereas it appears to the Lieutenant Governor of Himachal Pradesh that land is likely to be acquired to be

taken by Government at public expenses for a public purpose*. It is hereby notified that land in the locality described below is likely to be acquired for the said*purpose.

This notification is made under provision of section IV of Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Lieutenant Governor is pleased to authorise the officers for the time being engaged in undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Land Acquisition Officer, Himachal Pradesh P.W.D., Kangra.

No. 2-36/70-PWD. Simla-2, the 12th January, 1971

*Construction of P.W.D. Rest House, Kandrori.

SPECIFICATION

District: KANGRA

Tehsil: NURPUR

Locality village or Revenue Estate			Area with description in Acres
Village	Tikka	K.M.	
BAN ATHARIAN.	BAN ATHARIAN	25.6	2.40
Khasra No. 6/10/2, 6/11/2, 7/6/1, 7/15.			

No. 2-40/70-PWD. Simla-2, the 12th January, 1971

*Construction of Lift Irrigation Scheme Ambtar, Tehsil Hamirpur District Kangra

Tehsil: HAMIRPUR

Locality Revenue Tikka	Village or Estate village	Area in acres
JALARI	BELA	0.65

Simla-2, the 12th January, 1971

No. 2-40/70-PWD.—Whereas it appears to the Lieutenant Governor, Himachal Pradesh that land is likely to be acquired to be taken by the Government at public expenses for a public purpose, namely for construction of Lift Irrigation Scheme Thural in Tehsil Palampur, District Kangra. It is hereby notified that the land in the locality described below is likely to be acquired for the above purpose.

This notification is made under provisions of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Lieutenant Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of any land in the locality may, within 30 days of the publication of this notification, file an objection in writing before the Land Acquisition Officer, Himachal Pradesh, P.W.D., Kangra.

SPECIFICATION

District: KANGRA Tehsil: PALAMPUR

Locality Revenue Tika Village or Estate Village Area in acres

Mundi Thural	Rapot	1.04
-do-	Bhatilohar Panga	0.80
-do-	Khar Kharian da Lahar	0.63
-do-	Khatyan the Kholi	0.36
-do-	Malghuni	1.00
-do-	Kanaswahan	0.68
-do-	Nalerh	0.14
-do-	Tikkery	0.24

Total .. 4.89

By order,
U. N. SHARMA,
Secretary.REVENUE DEPARTMENT
CORRIGENDA

Simla-2, the 12th January, 1971

No. 4-1/69-Rev.II.—In Revenue Department notification No. 4-1/69-Rev.II, dated the 18th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of land in Tika Sagnara of village Nagrota, H.B.No. 114/2, Tehsil Dehra, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level 1430:—

- (i) substitute the area of Khasra No. 16/1 in square 13 as 3K-5M in place of 8K-5M;
- (ii) insert Khasra No. 8 with area 8K-0M in square 28 after Khasra No. 7 with area 8K-0M;
- (iii) read area of Khasra Nos. 23/2 and 23/3 in square 13 as 2K-9M and 3K-0M respectively.

Simla-2, the 12th January, 1971

No. 4-1/69-Rev.II.—In Revenue Department notification No. 4-1/69-Rev.II, dated the 18th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of Land in Tika Ludret, village Ludret, H.B. No. 113, Tehsil Dehra, District Kangra, for the proposed Railway line from Jawali Railway Station to Guler Railway Station. Substitute Khasra No. 719 in place of Khasra No. 718 in.

Simla-2, the 12th January, 1971

No. 4-1/69-Rev.II.—In Revenue Department notification No. 4-1/69-Rev.II, dated the 13th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of land in Tika Ban Rajeli village Bari, H.B. No. 6/2, Tehsil Dehra, District Kangra for Reservoir Area for Beas Dam at Pang Elevation Level 1280. substitute total area as 105-83 acres for 105-93 acres.

Simla-2, the 12th January, 1971

No. 4-1/69-Rev.II.—In Revenue Department notification No. 4-1/69-Rev.II, dated the 15th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of land in Tika Bari Khas, village Bari, H.B. No. 136/1, Tehsil Dehra, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level 1280:

- (i) substitute area of Khasra No. 57 min, and 390 as 4K-4M and 5K-19M in place of 1K-4M and 5K-10M, respectively.

- (ii) After Khasra No. 390 insert Khasra No. 391 with area 0K-10M and also add Khasra No. 957-701 with area 0K-10M after Khasra No. 956/701 with area 0K-19M.

Simla-2, the 12th January, 1971

No. 4-1/69-Rev.II.—In Revenue Department notification No. 4-1/69-Rev.II, dated the 18th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of land in Tika Maheshra, village Ladhara, H.B. No. 123/2, Tehsil Dehra, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level 1280 substitute area of Khasra No. 411/1 as 4K-13M for 11K-13M.

Simla-2, the 12th January, 1971

No. 4-1/69-Rev.II.—In Revenue Department notification No. 4-1/69-Rev.II, dated the 13th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of land in Tika Bari Khas, village Bari, H.B. No. 6/1, Tehsil Dehra, District Kangra, for Reservoir Area for Beas Dam at Pang substitute:—

- (i) The area of Khasra No. 169 as 7K-5M in place of 7K-3M;
- (ii) Khasra No. 170 with area 87K-5M in place of Khasra No. 171 with area 124K-0M; and
- (iii) The total area in Kutchha Bighas and Biswas as 455KB-4B, in place of 455KB-18B at the end of the notification.

Simla-2, the 12th January, 1971

No. 4-1/69-Rev.II.—In Revenue Department notification No. 4-1/69-Rev.II, dated the 18th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of land in Tika Santol of village Jarot, H.B. No. 116/3, Tehsil Dehra, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level 1280, substitute the area of Khasra Nos. 596, 1513/888, 1149 and 1235 as 2K-4M, 1K-6M, 0K-13M and 2K-2M in place of 12K-4M, 11K-6M, 0K-14M and 2K-9M respectively.

Read area against Khasra No. 605 as 0K-5M.

Read area against Khasra No. 1309/766 as 0K-6M.

Simla-2, the 12th January, 1971

No. 4-1/69-Rev.II.—In Revenue Department notification No. 4-1/69-Rev.II, dated the 18th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of land in Tika Barry, village Siota, H.B. No. 112/2, Tehsil Dehra, District Kangra, Reservoir Area for Beas Dam at Pang Elevation Level 1280:—

- (i) Substitute the area of Khasra No. 7 in square 4 as 8K-5M in place of 6K-5M.
- (ii) Substitute the area of Khasra No. 4 in square 4 as 6K-1M in place of 6K-10M;
- (iii) Read the area of Khasra No. 20 in square 1 as 0K-3M in place of 7K-3M.

Simla-2, the 13th January, 1971

No. 4-1/69-Rev.II.—In Revenue Department notification No. 4-1/69-Rev.II, dated the 18th January, 1969 issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of land in Tika Chandrehar village Barla, H.B. No. 135/7, Tehsil Dehra, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level 1280:—

- (i) Against Khasra No. 199/112 substitute area 0K-12M for 0K-11M;

- (ii) Read names of Tikka and village as Chandrehar and Barla respectively in lines 4 and 5 of the notification.

Simla-2, the 13th January, 1971

No. 4-1/69-Rev. II.—In Revenue Department notification No. 4-1/69-Rev. II, dated the 18th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of Land in Tika Barry, Village Ranyal, H.B. No. 110/2, Tehsil Dehra, District Kangra, for Reservoir Area for Beas Dam at Pang, Elevation Level 1280, *substitute*—

- (i) Khasra No. 52/2 for Khasra No. 25/2 in square 5 at page 3 of the notification,
(ii) Khasra No. 13/2/1 for Khasra No. 13/2 in line 11 at page 5 of the notification.

Simla-2, the 13th January, 1971

No. 4-1/69-Rev. II.—In Revenue Department notification No. 4-1/69-Rev. II, dated the 18th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of land in Tika Poth, village Poth, H.B. No. 118, Tehsil Dehra District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level 1280:—

- (i) *Substitute* area of Khasra Nos. 1185 and 1879 as 2K-16M and 20K-6M in place of 21K-6M and 2K-6M respectively.
(ii) *Omit* duplicate Khasra No. 1812 with area 3K-3M at page 29.

Simla-2, the 13th January, 1971

No. 4-1/69-Rev. II.—In Revenue Department notification No. 4-1/69-Rev. II, dated the 18th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of Land in Tika Gadrolhi Khas, village Gadrolhi, H.B. No. 117/1, Tehsil Dehra, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level 1280, *substitute* area 5K-3M for 3K-5M against Khasra No. 102.

Simla-2, the 13th January, 1971

No. 4-1/69-Rev. II.—In Revenue Department notification No. 4-1/69-Rev. II, dated the 18th January, 1969, issued under section 6 of the Land Acquisition Act, 1894 regarding acquisition of land in Tika Har, village Khatnaur, H.B. No. 125/3, Tehsil Dehra, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level 1280:—

- (i) *Substitute* area of Khasra No. 16/1 in square 35 as 6K-6M in place of 0K-6M;
(ii) *Omit* duplicate Khasra No. 324 with area 0K-17M in square 62.

Simla-2, the 13th January, 1971

No. 4-1/69-Rev. II.—In Revenue Department notification No. 4-1/69-Rev. II, dated the 17th January, 1969, issued under section 6 of the Land Acquisition Act, 1894 regarding acquisition of land in Tika Dhameta Khas, village Dhameta, H.B. No. 137/5, Tehsil Dehra, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level 1280 *substitute* and *insert* as below:—

- (i) *Substitute* area of Khasra Nos. 861/641 and 1050/686 as 3K-7M, and 6K-7M in place of 3K-17M and 0K-14M.
(ii) Below Khasra No. 1050/686 insert Khasra No. 1051/686 with area 0K-14M;
(iii) *Substitute* area of Khasra No. 1020/832 and 1022/832 as 0K-19M, 3K-18M, in place of 1K-8M, 8K-18M respectively;

- (iv) insert Khasra No. 689 with area 4K-9M after Khasra No. 688.

Simla-2, the 13th January, 1971

No. 4-1/69-Rev. II.—In Revenue Department notification No. 4-1/69-Rev. II, dated the 15th January, 1969, issued under section 6 of the Land Acquisition Act, 1894 regarding acquisition of land in Tika Ghiori, village Ghiori, H.B. No. 41, Tehsil Dehra, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level 1280;

- (i) *Omit* Khasra No. 620 to 623, 1939/392 and 1940/392 at page 12 of the notification; and
(ii) *Insert* Khasra No. 536 with area 0K-12M after Khasra No. 535 at page 12 of the notification.

Simla-2, the 13th January, 1971

No. 4-1/69-Rev. II.—In Revenue Department notification No. 4-1/69-Rev. II, dated the 18th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of land in Tika Nandpur Bhatoli Khas, village Nandpur Bhatoli, H.B. No. 109, Tehsil Dehra, District Kangra, for the proposed Railway line from Jawali Railway Station to Guler Railway Station: *Omit* duplicate Khasra No. 867/481 with area 0K-2M in the notification.

Simla-2, the 13th January, 1971

No. 4-1/69-Rev. II.—In Revenue Department notification No. 4-1/69-Rev. II, dated the 17th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of land in Tika Barohla, village Mohara, H.B. No. 97/2, Tehsil Dehra, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level 1280:—

- (i) *Substitute* area of Khasra Nos. 128, 210 177 and 199 as 1K-18M and 3K-12M in place of 1K-19M, 33K-12M and 18K-0M respectively;
(ii) *Insert* area 0K-6M against Khasra No. 275 173.

Simla-2, the 13th January, 1971

No. 4-1/69-Rev. II.—In Revenue Department notification No. 4-1/69-Rev. II, dated the 17th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of land in Tika Kothehra, village Barla, H.B. No. 135/1, Tehsil Dehra, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level 1280:—

Substitute area of Khasra No. 373 as 2K-15M for 3K-15M.

Simla-2, the 13th January, 1971

No. 4-1/69-Rev. II.—In Revenue Department notification No. 4-1/69-Rev. II, dated the 17th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of land in Tika Jhikli Badhopal, village Badhopal, H.B. No. 126/3, Tehsil Dehra, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level 1280.

Substitute area of Khasra No. 145, 168, 228, 230, 296, 400, 463 and 662 as 0K-8M, 1K-19M, 4K-5K, 1K-9M, 1K-18M, 3K-2M, 10K-19M and 0K-2M in place of 0K-3M, 1K-18M, 4K-6M, 1K-0M, 1K-13M, 3K-3M, 10K-10M, and 1K-16M respectively.

Simla-2, the 13th January, 1971

No. 4-1/69-Rev. II.—In Revenue Department notification No. 4-1/69-Rev. II, dated the 18th January, 1969,

issued under Section 6 of the Land Acquisition Act, 1894, regarding acquisition of land in Tika Halehr, village Amlela, H.B. No. 115/2, Tehsil Dehra, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level 1280, *Substitute*:-

- (i) Khasra No. 406/47 for Khasra No. 406/46 below Khasra No. 405/46;
- (ii) Area of Khasra No. 151 as 9K-18M for 9K-8M.

Simla-2, the 13th January, 1971

No. 4-1/69-Rev. II. In Revenue Department notification No. 4-1/69-Rev. II, dated the 17th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of land in Tika Chagwan of village Fehr, H.B. No. 140/6, Tehsil Dehra, District Kangra, for Reservoir Area for Beas Dam at Pang:—

- (i) *Substitute* the word "Elevation" for the word "Blayatio" in line 4 of the notification.
- (ii) *Substitute* area of Khasra No. 24/1 as 2K-17M in place of 2K-9M at page 19 line 2.

Simla-2, the 13th January, 1971

No. 4-2/69-Rev. II. In Revenue Department notification No. 4-2/69-Rev. II, dated the 18th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of land in Tika Badela, village Chahwara, H.B. No. 75/1, Tehsil Nurpur, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level 1430, *Substitute*:-

Area of Khasra No. 114 as 2K-5M in place of 0K-5M.

Simla-2, the 13th January, 1971

No. 4-1/69-Rev. II. In Revenue Department notification No. 4-1/69-Rev. II, dated the 18th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of land in Tika Raniyal, village Bhatoli Phakorlan, H.B. No. 101/5, Tehsil Dehra, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level 1280, *Substitute*:-

- (i) In line 4 of the notification and below column 3 in the specification, *Substitute* the word "Raniyal" for the word "Ranbyal", and
- (ii) Area of Khasra No. 13, 30/1, and 58 as 1K-16M, 0K-4M and 0K-11M in place of 1K-10M, 0K-3M and 0K-1M, respectively.

Simla-2, the 13th January, 1971

No. 4-1/69-Rev. II. In Revenue Department notification No. 4-1/69-Rev. II, dated the 13th January, 1969, issued under section 6 of the Land Acquisition Act, 1894 regarding acquisition of land in Tika Rara, village Dehra, H.B. No. 93/5, Tehsil Dehra, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation level 1430, *Substitute* H.B. No. 93/5 for H.B. No. 23/5 appearing in line 4 of the notification.

Simla-2, the 13th January, 1971

No. 4-1/69-Rev. II. In Revenue Department notification No. 4-1/69-Rev. II, dated the 18th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of land in Tika Dobanda, village Mohara, H.B. No. 97/1, Tehsil Dehra, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level 1280:

- (i) *Substitute* area of Khasra Nos. 890/208, as 6K-3M in place of 5K-10M.

- (ii) *Insert* the following Khasra Nos. with area as shown against each:—

Khasra No.	Area
429 after Khasra No. 428	1K-0M
430	5K-3M
444 after Khasra No. 443	0K-9M
495 after Khasra No. 494	0K-12M

Simla-2, the 13th January, 1971

No. 4-2/69-Rev. II.—In Revenue Department notification No. 4-2/69-Rev. II, dated the 18th January, 1969, issued under section 6 of the Land Acquisition Act, 1894 regarding acquisition of land in Tika Hawal of village Hassar, Tehsil Nurpur, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level 1430:—

- (i) in line 5 of the Notification *substitute* H.B. No. 73/7 in place of 7317;
- (ii) *substitute* the area of Khasra No. 531/18 as 8K-0M in place of 2K-16M.

Simla-2, the 10th January, 1971

No. 4-1/69-Rev. II.—In Revenue Department notification No. 4-1/69-Rev. II, dated the 18th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of land in Tika Anur of village Anur, H.B. No. 139, Tehsil Dehra, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level 1280:—

- (i) *Substitute* the area of Khasra No. 10/2 in square 17 as 2K-0M in place of 0K-0M,
- (ii) *Insert* Khasra No. 22/1 with area 6K-5M after Khasra No. 21/2 at page 8.,
- (iii) *Substitute* area of Khasra No. 22/2 as 0K-11M.
- (iv) *Read* area of Khasra No. 6 in square 34 and G.M. No. 42 page 21 of the notification as 7K-18M and 0K-11M in place of 8K-0M and 0K-1M, and
- (v) *Substitute* Khasra No. 12/2 for 12/3 in square 20.

Simla-2, the 13th January, 1971

No. 4-2/69-Rev. II.—In Revenue Department notification No. 4-2/69-Rev. II, dated the 18th January 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of land in Tika Sanehar, village Jawali, H.B. No. 76/21, Tehsil Nurpur, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level 1430, *substitute* the area of Khasra Nos. 356 and 832/512 as 9K-7M and 14K-2M in place of 0K-7M and 4K-2M respectively.

Simla-2, the 13th January, 1971

No. 4-1/69-Rev. II.—In Revenue Department notification No. 4-1/69-Rev. II, dated the 18th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of Land in Tika Sanhet village Sanhet, H. B. No. 58, Tehsil Dehra, District Kangra for Reservoir Area for Beas Dam at Pang Elevation Level 1430, *substitute* area against Khasra No. 3179 as 1K-9M for area 1K-8M.

Simla-2, the 13th January, 1971

No. 4-2/69-Rev. II.—In Revenue Department notification No. 4-2/69-Rev. II, dated the 18th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of land in Tika Bamoti of village Fatehpur, H.B. No. 195/4, Tehsil Nurpur, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level 1430, *substitute* area of Khasra No. 149 as 13K-0M in place of 3K-0M.

Simla-2, the 13th January, 1971

No. 4-1/69-Rev. II. In Revenue Department notification No. 4-1/69-Rev. II, dated the 17th January, 1969, issued under section 6 of the Land Acquisition Act, 1894 regarding acquisition of land in Tika Jamal Khas, village Jamal, H.B. No. 39/1, Tehsil Dehra, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation level 1280, *read, substitute or insert* as below:—

- (i) *Read* Khasra No. 518 in place of 158 just above Khasra No. 519 at page 12 of the notification.
- (ii) *Substitute* Khasra No. 1597/775 with area 0K-4M in place of Khasra No. 1597/575, with area 1K-4M below Khasra No. 1596/775.
- (iii) *Substitute* the area of Khasra Nos. 1733/793, 1750/789 as 0K-12M, 2K-7M in place of 1K-12M, 0K-9M respectively.
- (iv) *Substitute* Khasra No. 1776/1647/24 in place of 1776/1646/24 in page 1.
- (v) *Insert* Khasra No. 127 with area 0K-12M just below Khasra No. 126 in page 4.

Simla-2, the 13th January, 1971

No. 4-1/69-Rev. II.—In Revenue Department notification No. 4-1/69-Rev. II, dated the 13th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of land in Tika Haler of village Ghorial, H.B. No. 130/1, Tehsil Dehra, District Kangra, for the Impervious Material for the construction of Beas Dam at Pang, *substitute*:—

- (i) Area of Khasra Nos. 11/3 in square 8, 158 in square 18 as 3K-0M and 0K-19M in place of 3K-18M and 0K-18M respectively;
- (ii) *insert* the following Khasra Nos. with area as shown against each in square No. 18 at appropriate places:—

Khasra No.	Area
24	0K-15M
25	0K-9M
67	0K-7M
109	0K-2M
152	3K-7M

Simla-2, the 14th January, 1971

No. 4-2/69-Rev. II.—In Revenue Department notification No. 4-2/69-Rev. II, dated the 17th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of land in Tika Jhurah, village Harsar, H.B. No. 73/2, Tehsil Nurpur, District Kangra for Reservoir Area for Beas Dam at Pang Elevation Level 1430; *read* area of Khasra No. 23 and 101 as 26K-7M and 8K-11M in place of 26K-0M and 8K-1M respectively.

Simla-2, the 14th January, 1971

No. 4-2/69-Rev. II.—In Revenue Department notification No. 4-2/69-Rev. II, dated the 18th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of land in Tika Ponalh, village Harsar, H.B. No. 73/1, Tehsil Nurpur, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level 1430; *substitute* area of Khasra No. 379 and 345 as 2K-3M and 1K-14M in place of 2K-8M and 1K-4M respectively.

Simla-2, the 14th January, 1971

No. 4-2/69-Rev. II.—In Revenue Department notification No. 4-2/69-Rev. II, dated the 18th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of land in Tika Harsar Khas, village Harsar, H.B. No. 73/6, Tehsil Nurpur, District Kangra,

for Reservoir Area for Beas Dam at Pang Elevation Level 1430; *substitute* Khasra No. 741 to 749/2 for Khasra No. 741/749/2 with area 299K-5M.

Simla-2, the 14th January, 1971

No. 4-1/69-Rev. II. In Revenue Department notification No. 4-1/69-Rev. II, dated the 18th January, 1969, issued under section 6 of the Land Acquisition Act, 1894 regarding acquisition of land in Tika Labanth village Nagrota, H.B. No. 114/4, Tehsil Dehra, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level 1430:—

- (i) *Substitute* H.B. No. 114/4 for H.B. No. 1144 appearing in line 5 of the notification.
- (ii) *Against* Khasra No. 54 *read* area as 1K-3M.
- (iii) *After* Khasra No. 361/62/1, *insert* Khasra No. 362/62/1 with area 0K-3M.

Simla-2, the 14th January, 1971

No. 4-1/69-Rev. II. In Revenue Department notification No. 4-1/69-Rev. II, dated the 18th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of land in Tika Seerah, village Bongta, H.B. No. 95/2, Tehsil Dehra, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level 1430; *read* area of Khasra Nos. 67 and 118 as 3K-13M and 3K-9M in place of 3K-13M and 3K-19M respectively.

Simla-2, the 14th January, 1971

No. 4-1/69-Rev. II.—In Revenue Department notification No. 4-1/69-Rev. II, dated the 18th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of land in Tika Basa, village Nagrota, H.B. No. 114/11, Tehsil Dehra, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level 1430, *substitute* area of Khasra No. 119 as 0K-19M in place of 0K-10M.

Simla-2, the 14th January, 1971

No. 4-1/69-Rev. II. In Revenue Department notification No. 4-1/69-Rev. II, dated the 18th January, 1969, issued under section 6 of the Land Acquisition Act, 1894 regarding acquisition of land in Tika Kayahran, village Barla, H.B. No. 135/2, Tehsil Dehra, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level 1280, *substitute* Khasra No. 2788/1317 for Khasra No. 1317 in line 22 at page 28 of the notification.

Simla-2, the 14th January, 1971

No. 4-2/69-Rev. II. In Revenue Department notification No. 4-2/69-Rev. II, dated the 18th January, 1969, issued under section 6 of the Land Acquisition Act, 1894 regarding acquisition of land in Tika Tutwan, village Fatehpur, H.B. No. 195/8, Tehsil Nurpur, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level, 1430:—

Read area of Khasra No. 246 as 1K-10M in place of 1K-0M.

Simla-2, the 14th January, 1971

No. 4-1/69-Rev. II. In Revenue Department Notification No. 4-1/69-Rev. II, dated the 18th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of land in Village Bara, H.B. No. 57 Tehsil Dehra, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level 1430 *substitute* as below:—

- (i) The area of Khasra No. 4 as 4K-14M in place of 44K-14M.

- (ii) Khasra No. 1101/338 in place of 1101/38.
 (iii) Khasra No. 1203/1111 in place of 1203/111 and Khasra No. 1205/1111/346 in place of 1205/1111.

Simla-2, the 14th January, 1971

No. 4-1/69-Rev. II.—In Revenue Department notification No. 4-1/69-Rev. II, dated the 18th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of land in Tika Kalehr, village Khatnaur, H.B. No. 125/2, Tehsil Dehra, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level 1280, read the area of Khasra Nos. 259, 315 and 317 as 1K-13M, 9K-7M and 9K-19M respectively.

Simla-2, the 14th January, 1971

No. 4-1/69-Rev. II.—In Revenue Department notification No. 4-1/69-Rev. II, dated the 18th January, 1969, issued under section 6 of the Land Acquisition Act, 1894, regarding acquisition of land in Tika Kathehr, village Mohara, H.B. No. 97/7, Tehsil Dehra, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level 1280:—

- (i) *Substitute* Khasra Nos. 91, 3313/1847, and 3320/1852 in place of Khasra Nos. 81, 3313/2847 and 3320/2852 respectively.
 (ii) *Omit* duplicate Khasra No. 3336/206 with area 0K-5M.
 (iii) *Substitute* the area of Khasra Nos. 390, 3161/497, 3167/502, 3111/732 and 1776 as 1K-2M, 2K-1M,

1K-5M, 1K-7M, and 4K-9M in place of 1K-3M, 1K-7M, 0K-5M, 0K-7M and 4K-2M respectively.

- (iv) *Substitute* Khasra No. 1454 in place of Khasra No. 1453 after Khasra No. 3309/1453.

- (v) *Insert* Khasra Nos. 328 with area 0K-4M, 329 with area 0K-3M after Khasra No. 327 with area 0K-14M and 1934/1592 with area 0K-11M after Khasra No. 1933/1592, respectively.

Simla-2, the 15th January, 1971

No. 4-1/69-Rev. II.—In Revenue Department notification No. 4-1/69-Rev. II, dated the 18th January, 1969, issued under section 6 of the Land Acquisition Act, 1894 regarding acquisition of land in Tika Khabal of village Nagrota, H.B. No. 114/6, Tehsil Dehra, District Kangra, for Reservoir Area for Beas Dam at Pang Elevation Level 1430:—

- (i) *Omit* duplicate Khasra No. 24 in square 12.
 (ii) *Substitute* area against Khasra Nos. 14 in square 13 and 2/2 in square 28 as 0K-1M and 1K-16M for 0K-2M and 4K 16M respectively.
 (iii) *Substitute* duplicate Khasra No. 6 with area 6K-7M by Khasra No. 7 with area 6K-7M in square 14.

By order,

U. N. SHARMA,
 Secretary.

भाग 2—वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएँ इत्यादि

OFFICE OF THE COLLECTOR, CHAMBA DISTRICT CHAMBA (HIMACHAL PRADESH) OFFICE ORDER

Chamba, the 7th January, 1971

No. E&I-1454.—Consequent upon persistent defaults in the payment of monthly instalments of licence fee, during the currency of the financial year, 1970-71, by Sarvshri Ashok Kumar s/o Shri Inderjeet, Chaman Lal s/o Shri Diwan Chand r/o opposite Gulshan Timber Store, Inside Mahan Singh Gate, Amritsar, the defaulting licensees of Country Liquor Unit Bathri, in Bhattiyat Tehsil, Chamba district, their L-14 Licence Bathri Unit was cancelled under section 36(c) of the Punjab Excise Act as applied to Himachal Pradesh and put to re-auction at their own responsibility, which as resulted in loss to the Government.

2. And whereas Sarvshri Ashok Kumar s/o Shri Inderjeet, Chaman Lal s/o Shri Diwan Chand have failed to pay the arrears of Licence fee amounting to Rs. 25,130 despite affording them sufficient opportunity, thus they are not fit persons to hold any licence for the vend of liquor or drug, under clause "C" of order 7 of the Himachal Pradesh Intoxicant Licence and Sale Orders, 1965, and accordingly they are declared as Black Listed persons to hold any licence for the vend of liquor or drug.

Sd/-
 Collector.

OFFICE OF THE DEPUTY COMMISSIONER SIRMUR DISTRICT, NAHAN OFFICE ORDER

Nahan, the 7th January, 1971

No. 18-HC/DC/71.—In pursuance of the Himachal Pradesh Government notification No. 16-20/70-GAD-1,

dated the 9th November, 1970, the following local Holidays are declared to be observed in the subordinate, attached offices in Sirmur district, during the calendar year, 1971, at the District Tehsil and Sub-Tehsil headquarters on account of important fairs and festivals:—

Name of tehsil	Name of fair	Date	No. of days
For whole of the district	Rainka	30-10-71 (Saturday)	1
Paonta	.. Holi	11-3-171 (Thursday)	1
Pachhad and Nahan	.. Bawan Dwadshi	2-9-171 (Thursday)	1
Renuka	.. Rainka	29-10-71 (Friday)	1

O. P. YADAVA,
 Deputy Commissioner.

PUBLIC RELATIONS DEPARTMENT NOTIFICATION

Simla-2, the 14th January, 1971

No. 5-61/60-Pub.—In exercise of the powers vested in me under Rule 10 (4) of the Delegation of Financial Powers Rules, 1958, read with Government of India, Ministry of Home Affairs letter No. 4-5/63-Finance (Pt), dated the 1st May, 1964, the Publicity Officer (Information) of the Department of Public Relations (Himachal Pradesh), Simla is hereby declared as Drawing and Disbursing Officer in respect of the office of District Public Relations Officer, Simla under Head "71-Misc. C-Publicity Board" C-1-Publicity C-i(2) District Estt.

C-1(2)(1) Pay of Officers C-1(2)(2) Pay of Establishment
C-1(2)(3) Allowances and Honoraria C-1(2) Other Charges
Non-Plan and Plan. 2. 71—Misc. C-Publicity Board C-2-
Community Listening Scheme C-2(1) Pay of Establishment
C-2(2) Allowances and Honoraria C-2(3) Other Charges
(Plan and Non-Plan).

2. The above officer is also declared as controlling officer for the purpose of T.A. and D.A. to class II, III and IV employees of the office of the District Public Relations Officer, Simla.

3. This order will take effect from the date of Shri C. S. Panwar, Deputy Director Public Relations (Administration) hands over the charge of the drawing and disbursing officer to Shri H. L. Vaidya, Publicity Officer (Information) in respect of D.P.R.O's. Office, Simla.

H. K. MITTOO,
Director.

INDUSTRIES DEPARTMENT NOTIFICATIONS

DECLARATION UNDER SECTION 24 OF THE PUNJAB STATE AID TO INDUSTRIES ACT, 1935

Kulu, the 12th January, 1971

No. L.536/70-58-1.—WHEREAS a notice was served on Shri Jagan Nath s/o Shri Narad, Sultanpur, District Kulu, on the 4th December, 1970, under section 23 of the Punjab State Aid to Industries Act, 1935, calling upon the said Shri Jagan Nath to pay to me the sum of Rs. 666.00 with interest thereon at the rate of 5-1/2 per cent per annum from 14-7-1969 till date of final payment, and whereas the said sum has not been paid in full, I hereby declare that the sum of Rs. 2,000.00 with further interest thereon at the rate of 8 per cent per annum from 14th December, 1969 till date of final payment is due from the said Shri Jagan Nath and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

All assets present and to be hereinafter acquired by the loanee whether the said assets are now or in future in his name including book debts, stock, shares, premises, machinery and equipment whether these existing or to be purchased with the aid of loan or part thereof and any other personal security of the loanee.

Sd/-
Assistant District Industries Officer, Kulu.

DECLARATION UNDER SECTION 24 OF THE PUNJAB STATE AID TO INDUSTRIES ACT, 1935

Kulu, the 12th January, 1971

No. L.535/70-53-1.—WHEREAS a notice was served on Shri Sant Paul s/o Shri Swami Dayal, A.B., Kulu on

November 4, 1970, under section 23 of the Punjab State Aid to Industries Act, 1935, calling upon the said Shri Sant Paul to pay to me the sum of Rs. 666.00 with interest thereon at the rate of 5½ per cent per annum from 14-7-1969 till date of final payment; and whereas the said sum has not been paid in full, I hereby declare that the sum of Rs. 2,000.00 with further interest thereon at the rate of 8 per cent per annum from 14-7-1969 till date of final payment is due from the said Shri Sant Paul and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

All assets present and to be hereinafter acquired by the loanee whether the said assets are now or in future in his name including book debts, stock, shares, premises, machinery and equipment whether these existing or to be purchased with the aid of loan or part thereof and any other personal security of loanee.

Sd/-
Assistant District Industries Officer, Kulu.

DECLARATION UNDER SECTION 24 OF THE PUNJAB STATE AID TO INDUSTRIES ACT, 1935

Kulu, the 12th January, 1971

No. L.528/70-56-1.—WHEREAS a notice was served on Shri Lal Chand s/o Shri Ram Dayal, village Bhekhli, Kothi Bari, District Kulu on the 4th December, 1970, under section 23 of the Punjab State Aid to Industries Act, 1935, calling upon the said Shri Lal Chand to pay to me the sum of Rs. 566.00 with interest thereon at the rate of 5½ per cent per annum from 16-6-1969 till date of final payment; and whereas the said sum has not been paid in full, I hereby declare that the sum of Rs. 1,900.00 with further interest thereon at the rate of 8 per cent per annum from 16-6-1969 till date of final payment is due from the said Shri Lal Chand and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

All assets present and to be hereinafter acquired by the loanee whether the said assets are now or in future in his name including book debts, stock, shares, premises, machinery and equipment whether these existing or to be purchased with the aid of loan or part thereof and any other personal security of loanee.

Sd/-
Assistant District Industries Officer, Kulu.

भाग 3—अधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के उप-राज्यपाल, हिमाचल बैंक आफ़ देहली हाई कोर्ट, फाइनेन्शियल कमिश्नर तथा कमिश्नर आफ़ इन्कम-टैक्स द्वारा अधिसूचित आदेश इत्यादि

PLANNING AND EVALUATION DEPARTMENT NOTIFICATION

Simla-4, the 13th January, 1971

No. 8-16/63-Plan (DES).—In supersession of the the Finance Department, Himachal Pradesh Notification

No. 8-28/62-Fin(R&E), dated the 13th August, 1965, the Lieutenant Governor (Administrator), Himachal Pradesh, in exercise of the powers delegated by the President, under the proviso to Article 309 of the Constitution, read with Government of India, Ministry of Home Affairs, Notification No. F-27/59-HIM(i), dated the 13th July

1959, is pleased to make the Recruitment and Promotion Rules, in consultation with the Union Public Service Commission, for the under mentioned three categories of the posts in the Directorate of Economics and Statistics, Himachal Pradesh as in the below proforma:—

- (i) Statisticians;
- (ii) District Statistical Officers; and
- (iii) Research Officer.

These rules shall come into force with effect from the 9th December, 1970, the date on which these have been finally approved by the Union Public Service Commission.

RECRUITMENT RULES FOR THE POSTS OF (I) STATISTICIAN, (II) DISTRICT STATISTICAL OFFICER AND (III) RESEARCH OFFICER IN THE DEPARTMENT OF ECONOMICS AND STATISTICS, HIMACHAL PRADESH GOVERNMENT
FILE NO. F.3-24-A(11)/70-RR

1. *Name of post.*—(1) Statistician, (b) District Statistical Officer, (3) Research Officer.
2. *No. of posts.*—(1) Three, (2) Five, (3) One.
3. *Classification.*—Class-II Gazetted.
4. *Scale of pay.*—Rs. 250-25-600 recently revised to Rs. 400-25-500/30-800.
5. *Whether selection post or non-selection post.*—Selection.
6. *Age for direct recruits.*—30 years and below (relaxable for Government servants).
7. *Educational and other qualifications required for direct recruits.*—ESSENTIAL—
(i) Master's degree in Statistics or Mathematics/

Economics/Commerce (with statistics) of a recognised University or equivalent.

OR

Degree of a recognised University with Mathematics/Statistics/Economics as a subject plus a recognised Diploma obtained after at least 2 years post-graduate training in Statistics.

(ii) About 2 years experience of statistical work involving collection, compilation and interpretation of Statistical data. (Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified).

8. *Whether age and educational qualification prescribed for direct recruits will apply in the case of promotees.*—No.

9. *Period of probation, if any.*—2 years.

10. *Method of recruitment whether by direct recruitment or by deputation/transfer and percentage of the vacancies to be filled by various methods.*—By promotion failing which by direct recruitment.

11. *In case of recruitment by promotion/deputation/transfer grades from which promotion/deputation/transfer to be made.*—PROMOTION—

(i) Statistical Assistants;

(ii) Technical Assistant with 3 years service in the respective grade.

12. *If Departmental Promotion Committee exists, what is its composition.*—Class II Departmental Promotion Committee.

13. *Circumstances in which Union Public Service Commission is to be consulted in making recruitment.*—As required under Union Public Service Commission (Exemption from Consultation) Regulations, 1958).

By order,
P. K. MATTOO,
Secretary.

भाग 4—स्थानीय स्वायत्त शासन: म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाउन एरिया तथा पंचायत विभाग

LOCAL SELF GOVERNMENT DEPARTMENT NOTIFICATIONS

Simla-2, the 12th January, 1971

No. 14-16 69-LSG. — WHEREAS it appears to the Administrator (Lieutenant Governor), Himachal Pradesh that the land is required to be taken by the Municipal Committee, Palampur, District Kangra, at its own expenses for a public purpose, namely for the construction/repair of lanes, drains and for the construction of a *Dharamsala* in Palampur town of Kangra district, it is hereby declared that the land described in the specification below is required for the above purpose.

The declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 to all whom it may concern and under the provisions of section 7 of the said Act, the Land Acquisition Collector, Palampur, is hereby directed to take order for the acquisition of the said land

A plan of the land may be inspected in the office of the Land Acquisition Collector, Palampur, District Kangra.

SPECIFICATION

District: KANGRA

Tehsil: PALAMPUR

Village	Khasra No.	Area in K. M.
TIKA AND MAUZA MUHAL PALAMPUR.	282	1 11

Simla-2, the 12th January, 1971

No. 14-85/69-LSG. — WHEREAS it appears to the Lieutenant Governor, Himachal Pradesh that land is likely to be required to be taken by the Municipal Committee, Nahan at its own expense for a public purpose, namely for the construction of public drain, it is hereby notified that the land in the locality described below is likely

to be required for the above purpose.

2. This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 as applied to Himachal Pradesh to all whom it may concern.

3. In exercise of the powers conferred by the aforesaid section, the Lieutenant Governor is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

4. Any person interested, who has any objection to the acquisition of any land in the locality may, within thirty days of the publication of this notification file an objection in writing before the Collector of Sirmur district, Nahan.

SPECIFICATION

District: SIRMUR

Tehsil: NAHAN

Village	Khasra No.	Area in sq. yards
NAHAN TOWN	103/1	60.4
	102/1	10 $\frac{3}{4}$

By order,
D. B. LAL,
Secretary.

PANCHAYATS DEPARTMENT CORRIGENDA

Simla-2, the 12th January, 1971

No. 7-1,69-Pnt.(Sectt.) (I).— In this Department noti-

fication of even number, dated the 11th December, 1970, relating to the exclusion of villages from Gram Sabhas in Kangra district.

(i) Read the following for the existing entries under column 4 against Ghoran Gram Sabha under column 3 in Indora Block:—

COLUMN 4

1. Sahetar.
2. Bhagnal.
3. Balir.

(ii) Delete "Serial No. 5 Matiar" under column 4 against Gram Sabha THARU under column 3 in Nagrota Bagwan Block.

Simla-2, the 12th January, 1971

No. 7-1,69-Pnt.-Sectt.(II).—In this Department notification of even number, dated the 11th December, 1970, relating to the inclusion of villages in Gram Sabhas in Kangra district:—

(i) Delete the existing entry at Serial No. 1 under column re-numbering Serial No. 2 as Serial No. 1 against Gram Sabha Nana under column 3 in Nurpur Block.

(ii) Delete the following entries appearing under columns 3 and 4 against Serial No. 5.

Column 3
"Nagrota Bagwan

Column 4
1. Natiari
2. Sairer.
3. Jal bimbr".

DWARKA PRASHAD,
Under Secretary.

भाग 5—वैयक्तिक अधिसूचनाएं और विज्ञापन

PROCLAMATION UNDER ORDER 5, RULE 20, C.P.C.
IN THE COURT OF SHRI A. L. SONI, P.C.S.,
JUDGE SMALL CAUSE COURT, SIMLA

SUIT No. 152 OF 1968

Shri Ranvir Sahai, Prop. of Shri Ranvir Studio,
35, The Mall, Simla. Plaintiff.

Versus

Shri Adarsh Jauhar, Prop. Adarsh Applied Arts and
Advertising Agency, Post Box 18, Chandigarh. Defendant.

To

Shri Adarsh Jauhar, Prop. Adarsh Applied Arts and

Advertising Agency, Post Box 18, Chandigarh.

Whereas in the above noted case, it has been proved to the satisfaction of the Court that the above noted defendant is evading the service of the summons and cannot be served in normal course of service. Hence this proclamation is hereby issued against him to appear in this Court on the date of hearing on 2nd April, 1971 at 10 A.M., personally or through his authorised agent or pleader to defend the case. Failing which *ex-parte* proceedings will be taken against him.

Given under my hand and the seal of this Court this 8th day of January, 1971.

A. L. SONI,
Judge Small Cause Court.

भाग 6—भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

(दृष्टिपूर्वक 144 से 174 तक)

भाग 7—भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं

अन्य

अनूपूरक

अन्य

PART VI

LAW DEPARTMENT
NOTIFICATION*Simla-4, the 13th January, 1961*

No. 1-7-60-L.R.—The following Acts recently passed by the Parliament of India and published in the Gazette of India Extraordinary Part II, Section 1, dated 27th December, 1960 respectively are hereby republished in the Himachal Pradesh Administration Rajpatra for the information of general public.

1. The British Statutes (Application to India) Repeal Act, 1960 (No. 57 of 1960).
2. The Repealing and Amending Act, 1960 (No. 58 of 1960).
3. The Prevention of Cruelty to Animals Act, 1960 (No. 59 of 1960).
4. The Children Act, 1960 (No. 60 of 1960).

G. M. LAUL,
Under Secretary (Judicial).

Assented to on 26-12-60.

THE BRITISH STATUTES (APPLICATION TO
INDIA) REPEAL ACT, 1960
(ACT NO. 57 OF 1960)

AN
ACT

to repeal certain British statutes in their application to India.

BE it enacted by Parliament in the Eleventh Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the British Statutes (Application to India) Repeal Act, 1960.

2. *Repeal of certain British statutes in their application to India.*—The British statutes specified in the Schedule, in so far as they extend to, and operate as part of the law of, India or any part thereof, are hereby repealed.

3. *Savings.*—For the removal of doubts, it is hereby declared that the repeal by this Act of any British statute shall not affect the operation of any such statute in relation to India and to persons and things in any way belonging to or connected with India in any country to which the India (Consequential Provision) Act, 1949, 12, 13 and 14 Geo VI, c. 92 extends.

THE SCHEDULE

(See section 2)

BRITISH STATUTES REPEALED IN THEIR APPLICATION TO INDIA

Serial No.	Year	Short title or subject
1	2	3
1	1297	Magna Carta (25 Edw. I, c. 1 and 29).
2	1331	Unlawful attachment (5 Edw. 3, c. 9).
3	1354	Non-condemnation without due process (28 Edw. 3, c. 3).
4	1540	The Marriage Act, 1540 (32 Hen. 8, c. 38).
5	1551-2	The Sale of Offices Act, 1551 (5 & 6 Edw. 6, c. 16).
6	1677	The Statute of Frauds (29 Cha. 2, c. 3).
7	1679	The Habeas Corpus Act, 1679 (31 Cha. 2, c. 2).
8	1688	Coronation Oath (1 Will & Mar. c. 6)

1	2	3
9	1698	Governors of plantations (11 Will. 3, c. 12).
10	1700	The Act of Settlement (12 & 13 Will. 3, c. 2).
11	1702	Demise of the Crown, 1702 (1 Anne, c. 2).
12	1707	The Succession to the Crown Act, 1707 (6 Anne, c. 41).
13	1782	The House of Commons (Disqualification) Act, 1782. (22 Geo. 3, c. 45).
14	1802	The Criminal Jurisdiction Act, 1802 (42 Geo. 3, c. 85).
15	1809	The Sale of Offices Act, 1809 (49 Geo. 3, c. 126).
16	1812	The Prisoners of War (Escape) Act, 1812 (52 Geo. 3, c. 156).
17	1820	The Divorce Bills Evidence Act, 1820 (1 Geo. 4, c. 101).
18	1824	The Slave Trade Act, 1824 (5 Geo. 4, c. 113).
19	1830	The Illusory Appointments Act, 1830 (11 Geo. 4 & 1 Will. 4, c. 46).
20	1830	The Debts Recovery Act, 1830 (11 Geo. 4 & 1 Will. 4, c. 47).
21	1830	The Infants' Property Act, 1830 (11 Geo. 4 & 1 Will. 4, c. 65).
22	1830	The Colonial Offices Act, 1830 (1 Will. 4, c. 4).
23	1831	The Evidence on Commission Act, 1831 (1 Will. 4, c. 22).
24	1833	The Judicial Committee Act, 1833 (3 & 4 Will. 4, c. 41).
25	1833	The Government of India Act, 1833 (3 & 4 Will. 4, c. 85).
26	1834	The Superannuation Act, 1834 (4 & 5 Will. 4, c. 24).
27	1840	The Debtors (Ireland) Act, 1840 (3 & 4 Vict., c. 105).
28	1843	The (Colonies) Evidence Act, 1843 (6 & 7 Vict., c. 22).
29	1843	The Judicial Committee Act, 1843 (6 & 7 Vict., c. 38).
30	1843	The Slave Trade Act, 1843 (6 & 7 Vict., c. 98).
31	1844	The Judicial Committee Act, 1844 (7 & 8 Vict., c. 69).
32	1847	The Naval Deserters Act, 1847 (10 & 11 Vict., c. 62).
33	1849	The Portuguese Deserters Act, 1849 (12 & 13 Vict., c. 25).
34	1851	The Lunatics' Removal (India) Act, 1851 (14 and 15 Vict., c. 81).
35	1851	The Court of Chancery Act, 1851 (14 & 15 Vict., c. 83).
36	1853	The Coinage (Colonial Offences) Act, 1853 (16 & 17 Vict., c. 48).
37	1854	The Registration of Births, Deaths and Marriages (Scotland) Act, 1854 (17 & 18 Vict., c. 80).
38	1856	The Foreign Tribunals Evidence Act, 1856 (19 and 20 Vict., c. 113).
39	1858	The Government of India Act, 1858 (21 & 22 Vict., c. 106).
40	1859	The Evidence by Commission Act, 1859 (22 Vict., c. 20).

1	2	3	1	2	3
41	1859	The Royal Naval Reserve (Volunteer) Act, 1859 (22 & 23 Vict., c. 40).	74	1882	The Documentary Evidence Act, 1882 (45 & 46 Vict., c. 9).
42	1860	The Indian Securities Act, 1860 (23 & 24 Vict., c. 5).	75	1882	The Bombay Civil Fund Act, 1882 (45 & 46 Vict., c. 45).
43	1861	The Malicious Damage Act, 1861 (24 & 25 Vict., c. 97).	76	1882	The Reserve Forces Act, 1882 (45 & 46 Vict., c. 48).
44	1861	The Wills Act, 1861 (24 & 25 Vict., c. 114).	77	1884	The Naval Discipline Act, 1884 (47 & 48 Vict., c. 39).
45	1861	The Domicile Act, 1861 (24 & 25 Vict., c. 121).	78	1884	The Criminal Lunatics Act, 1884 (47 & 48 Vict., c. 64).
46	1862	The India Stock Transfer Act, 1862 (25 & 26 Vict., c. 7).	79	1885	The East India Unclaimed Stock Act, 1885 (48 & 49 Vict., c. 25).
47	1862	The Habeas Corpus Act, 1862 (25 & 26 Vict., c. 20).	80	1885	The Indian Army Pension Deficiency Act, 1885 (48 & 49 Vict., c. 67).
48	1862	The Fine Arts Copyright Act, 1862 (25 & 26 Vict., c. 68).	81	1885	The Evidence by Commission Act, 1885 (48 & 49 Vict., c. 74).
49	1863	The Colonial Letters Patent Act, 1863 (26 & 27 Vict., c. 76).	82	1886	The Medical Act, 1886 (49 & 50 Vict., c. 48).
50	1866	The Indian Military Funds Act, 1866 (29 & 30 Vict., c. 18).	83	1887	The Conversion of Indian Stock Act, 1887 (50 & 51 Vict., c. 11).
51	1866	The Indian Prize Money Act, 1866 (29 and 30 Vict., c. 47).	84	1887	The British Settlements Act, 1887 (50 & 51 Vict., c. 54).
52	1868	The Indian Railway Companies Act, 1868 (31 & 32 Vict., c. 26).	85	1887	The Superannuation Act, 1887 (50 & 51 Vict., c. 67).
53	1868	The Documentary Evidence Act, 1868 (31 & 32 Vict., c. 37).	86	1887	The Appellate Jurisdiction Act, 1887 (50 & 51 Vict., c. 70).
54	1868	The Indian Prize Money Act, 1868 (31 & 32 Vict., c. 38).	87	1889	The Commissioners for Oaths Act, 1889 (52 & 53 Vict., c. 10).
55	1869	The East India Irrigation and Canal Act, 1869 (32 & 33 Vict., c. 7).	88	1890	The Commissioners for Oaths Amendment Act, 1890 (53 & 54 Vict., c. 7).
56	1870	The Coinage Act, 1870 (33 & 34 Vict., c. 10).	89	1890	The Foreign Jurisdiction Act, 1890 (53 & 54 Vict., c. 37).
57	1873	The East India Stock Dividend Redemption Act, 1873 (36 & 37 Vict., c. 17).	90	1891	The Commissioners for Oaths Act, 1891 (54 & 55 Vict., c. 50).
58	1873	The Indian Railway Companies Act, 1873 (36 & 37 Vict., c. 43).	91	1891	The Coinage Act, 1891 (54 & 55 Vict., c. 72).
59	1873	The Slave Trade (East African Courts) Act, 1873 (36 & 37 Vict., c. 59).	92	1892	The Foreign Marriage Act, 1892 (55 & 56 Vict., c. 23).
60	1873	The Slave Trade Act, 1873 (36 & 37 Vict., c. 88).	93	1892	The Superannuation Act, 1892 (55 & 56 Vict., c. 40).
61	1874	The East India Annuity Funds Act, 1874 (37 & 38 Vict., c. 12).	94	1893	The Regimental Debts Act, 1893 (56 & 57 Vict., c. 5).
62	1876	The Royal Titles Act, 1876 (39 & 40 Vict., c. 10).	95	1893	The Trustee Act, 1893 (56 & 57 Vict., c. 53).
63	1876	The Statute Law Revision (Substituted Enactments) Act, 1876 (39 & 40 Vict., c. 20).	96	1894	The Trustee Act, 1894 (57 & 58 Vict., c. 10).
64	1876	The Customs Consolidation Act, 1876 (39 & 40 Vict., c. 36).	97	1894	The Indian Railways Act, 1894 (57 & 58 Vict., c. 12).
65	1876	The Slave Trade Act, 1876 (39 & 40 Vict., c. 46).	98	1894	The Finance Act, 1894 (57 & 58 Vict., c. 30).
66	1878	The Dentists Act, 1878 (41 & 42 Vict., c. 33).	99	1894	The Uniforms Act, 1894 (57 & 58 Vict., c. 45).
67	1878	The Elders' Widows' Fund (India) Act, 1878 (41 & 42 Vict., c. 47).	100	1895	The Documentary Evidence Act, 1895 (58 & 59 Vict., c. 9).
68	1879	The Registration of Births, Deaths and Marriages (Army) Act, 1879 (42 & 43 Vict., c. 8).	101	1895	The Judicial Committee Amendment Act, 1895 (58 & 59 Vict., c. 44).
69	1879	The Slave Trade (East African Courts) Act, 1879 (42 & 43 Vict., c. 38).	102	1896	The Short Titles Act, 1896 (59 & 60 Vict., c. 14).
70	1879	The Indian Guaranteed Railways Act, 1879 (42 & 43 Vict., c. 41).	103	1896	The Finance Act, 1896 (59 & 60 Vict., c. 28).
71	1881	The Judicial Committee Act, 1881 (44 & 45 Vict., c. 3).	104	1896	The Royal Naval Reserve Volunteer Act, 1896 (59 & 60 Vict., c. 33).
72	1881	The India Office (Sale of Superfluous Land) Act, 1881 (44 & 45 Vict., c. 7).	105	1897	The Regular and Elders' Widows' Funds Act, 1897 (60 & 61 Vict., c. 11).
73	1881	The Army Act, 1881 (44 & 45 Vict., c. 58).	106	1898	The Reserve Forces and Militia Act, 1898 (61 & 62 Vict., c. 9).
			107	1898	The Statute Law Revision Act, 1898 (61 & 62 Vict., c. 22).

1	2	3	1	2	3
108	1899	The Army (Annual) Act, 1899 (62 & 63 Vict., c. 3).	141	1914	The Army (Supply of Food, Forage and Stores) Act, 1914 (4 & 5 Geo. 5, c. 26).
109	1899	The Reserve Forces Act, 1899 (62 & 63 Vict., c. 40).	142	1914	The Superannuation Act, 1914 (4 & 5 Geo. 5, c. 86).
110	1900	The Colonial Solicitors Act, 1900 (63 & 64 Vict., c. 14).	143	1914	The Navy (Pledging of Certificates, etc.) Act, 1914 (4 & 5 Geo. 5, c. 89).
111	1900	The Reserve Forces Act, 1900 (63 & 64 Vict., c. 42).	144	1915	The Army (Amendment) Act, 1915 (5 & 6 Geo. 5, c. 26).
112	1900	The Colonial Stock Act, 1900 (63 & 64 Vict., c. 62).	145	1915	The Naval Discipline Act, 1915 (5 & 6 Geo. 5, c. 30).
113	1901	The Army (Annual) Act, 1901 (1 Edw. 7, c. 2).	146	1915	The Marriage of British Subjects (Facilities) Act, 1915 (5 & 6 Geo. 5, c. 40).
114	1901	The Demise of the Crown Act, 1901 (1 Edw. 7, c. 5).	147	1915	The Army (Amendment) No. 2 Act, 1915 (5 & 6 Geo. 5, c. 58).
115	1901	The Royal Titles Act, 1901 (1 Edw. 7, c. 15).	148	1915	The Naval Discipline (No. 2) Act, 1915 (5 & 6 Geo. 5, c. 73).
116	1902	The Royal Naval Reserve Act, 1902 (2 Edw. 7, c. 5).	149	1915	The Judicial Committee Act, 1915 (5 & 6 Geo. 5, c. 92).
117	1905	The Medical Act (1886) Amendment Act, 1905 (5 Edw. 7, c. 14).	150	1916	The Army (Annual) Act, 1916 (6 & 7 Geo. 5, c. 5).
118	1906	The Seamen's and Soldiers' False Characters Act, 1906 (6 Edw. 7, c. 5).	151	1916	The Imperial Institute (Management) Act, 1916 (6 & 7 Geo. 5, c. 8).
119	1906	The Reserve Forces Act, 1906 (6 Edw. 7, c. 11).	152	1916	The Marriage of British Subjects (Facilities) Amendment Act, 1916 (6 & 7 Geo. 5, c. 21).
120	1907	The Territorial and Reserve Forces Act, 1907 (7 Edw. 7, c. 9).	153	1916	The Government of India (Amendment) Act, 1916 (6 & 7 Geo. 5, c. 37).
121	1907	The Evidence (Colonial Statutes) Act 1907 (7 Edw. 7, c. 16).	154	1917	The Army (Annual) Act, 1917 (7 & 8 Geo. 5, c. 9).
122	1907	The Deceased Wife's Sister's Marriage Act, 1907 (7 Edw. 7, c. 47).	155	1917	The Naval Discipline Act, 1917 (7 & 8 Geo. 5, c. 34).
123	1908	The Statute Law Revision Act, 1908 (8 Edw. 7, c. 49).	156	1917	The Air Force (Constitution) Act, 1917 (7 & 8 Geo. 5, c. 51).
124	1908	The Appellate Jurisdiction Act, 1908 (8 Edw. 7, c. 51).	157	1918	The Army (Annual) Act, 1918 (8 & 9 Geo. 5, c. 6).
125	1909	The Army (Annual) Act, 1909 (9 Edw. 7, c. 3).	158	1918	The Termination of the Present War (Definition) Act, 1918 (8 & 9 Geo. 5, c. 59).
126	1909	The Naval Establishments in British Possessions Act, 1909 (9 Edw. 7, c. 18).	159	1919	The Army (Annual) Act, 1919 (9 & 10 Geo. 5, c. 11).
127	1909	The Naval Discipline Act, 1909 (9 Edw. 7, c. 41).	160	1919	The Treaty of Peace Act, 1919 (9 & 10 Geo. 5, c. 33).
128	1910	The Army (Annual) Act, 1910 (10 Edw. 7, c. 6).	161	1919	The British Mercantile Marine Uniform Act, 1919 (9 & 10 Geo. 5, c. 62).
129	1910	The Accession Declaration Act, 1910 (10 Edw. 7 & 1 Geo. 5, c. 29).	162	1919	The Aliens Restriction (Amendment) Act, 1919 (9 & 10 Geo. 5, c. 92).
130	1910	The Registration of Births, Deaths and Marriages (Scotland) Amendment Act, 1910 (10 Edw. 7 & 1 Geo. 5, c. 32).	163	1919	The Government of India Act, 1919 (9 & 10 Geo. 5, c. 101).
131	1911	The Army (Annual) Act, 1911 (1 & 2 Geo. 5, c. 3).	164	1920	The Treaties of Peace (Austria and Bulgaria) Act, 1920 (10 & 11 Geo. 5, c. 6).
132	1911	The Parliament Act, 1911 (1 & 2 Geo. 5, c. 13).	165	1920	The Army and Air Force (Annual) Act, 1920 (10 & 11 Geo. 5, c. 7).
133	1911	The Official Secrets Act, 1911 (1 & 2 Geo. 5, c. 28).	166	1920	The Maintenance Orders (Facilities for Enforcement) Act, 1920 (10 & 11 Geo. 5, c. 33).
134	1912	The Army (Annual) Act, 1912 (2 & 3 Geo. 5, c. 5).	167	1920	The Indemnity Act, 1920 (10 & 11 Geo. 5, c. 48).
135	1912	The Marriages in Japan (Validity) Act, 1912 (2 & 3 Geo. 5, c. 15).	168	1921	The Army and Air Force (Annual) Act, 1921 (11 & 12 Geo. 5, c. 9).
136	1913	The Army (Annual) Act, 1913 (3 Geo. 5, c. 2).	169	1921	The Treaty of Peace (Hungary) Act, 1921 (11 & 12 Geo. 5, c. 11).
137	1913	The Foreign Jurisdiction Act, 1913 (3 & 4 Geo. 5, c. 16).	170	1921	The Importation of Plumage (Prohibition) Act, 1921 (11 & 12 Geo. 5, c. 16).
138	1913	The Appellate Jurisdiction Act, 1913 (3 & 4 Geo. 5, c. 21).			
139	1914	The Army (Annual) Act, 1914 (4 & 5 Geo. 5, c. 2).			
140	1914	The Aliens Restriction Act, 1914 (4 & 5 Geo. 5, c. 12).			

1	2	3	1	2	3
171	1921	The Indian Divorces (Validity) Act, 1921 (11 & 12 Geo. 5, c. 18).	203	1935	The Finance Act, 1935 (25 & 26 Geo. 5, c. 24).
172	1921	The Deceased Brother's Widow's Marriage Act, 1921 (11 & 12 Geo. 5, c. 24).	204	1935	The Government of Burma Act, 1935 (26 Geo. 5 and 1 Edw. 8, c. 3).
173	1921	The Territorial Army and Militia Act, 1921 (11 & 12 Geo. 5, c. 37).	205	1936	His Majesty's Declaration of Abdication Act, 1936 (1 Edw. 8 and 1 Geo. 6, c. 3).
174	1921	The Trade Facilities Act, 1921 (11 & 12 Geo. 5, c. 65).	206	1937	The East India Loans Act, 1937 (1 Edw. 8 and 1 Geo. 6, c. 14).
175	1922	The Army and Air Force (Annual) Act, 1922 (12 & 13 Geo. 5, c. 6).	207	1937	The Regency Act, 1937 (1 Edw. 8 and 1 Geo. 6, c. 16).
176	1922	The Empire Settlement Act, 1922 (12 & 13 Geo. 5, c. 13).	208	1937	The Reserve Forces Act, 1937 (1 Edw. 8 and 1 Geo. 6, c. 17).
177	1922	The Naval Discipline Act, 1922 (12 & 13 Geo. 5, c. 37).	209	1937	The Empire Settlement Act, 1937 (1 Edw. 8 and 1 Geo. 6, c. 18).
178	1922	The Trade Facilities and Loans Guarantee Act, 1922 (13 Geo. 5, c. 4).	210	1938	The Cinematograph Films Act, 1938 (1 & 2 Geo. 6, c. 17).
179	1923	The Army and Air Force (Annual) Act, 1923 (13 & 14 Geo. 5, c. 3).	211	1938	The Trade Marks Act, 1938 (1 & 2 Geo. 6, c. 22).
180	1923	The Fees (Increase) Act, 1923 (13 & 14 Geo. 5, c. 4).	212	1939	The Prevention of Fraud (Investments) Act, 1939 (2 & 3 Geo. 6, c. 16).
181	1923	The Matrimonial Causes Act, 1923 (13 & 14 Geo. 5, c. 19).	213	1939	The Army and Air Force (Annual) Act, 1939 (2 & 3 Geo. 6, c. 17).
182	1924	The Army and Air Force (Annual) Act, 1924 (14 & 15 Geo. 5, c. 5).	214	1939	The Reserve and Auxiliary Forces Act, 1939 (2 & 3 Geo. 6, c. 24).
183	1924	The Treaty of Peace (Turkey) Act, 1924 (14 & 15 Geo. 5, c. 7).	215	1939	The Marriage (Scotland) Act, 1939 (2 & 3 Geo. 6, c. 34).
184	1924	The Trade Facilities Act, 1924 (14 & 15 Geo. 5, c. 8).	216	1939	The Emergency Powers (Defence) Act, 1939 (2 & 3 Geo. 6, c. 62).
185	1924	The Auxiliary Air Force and Air Force Reserve Act, 1924 (14 & 15 Geo. 5, c. 15).	217	1939	The Armed Forces (Conditions of Service) Act, 1939 (2 & 3 Geo. 6, c. 68).
186	1924	The Carriage of Goods by Sea Act, 1924 (14 & 15 Geo. 5, c. 22).	218	1939	The Ships and Aircraft (Transfer Restriction) Act, 1939 (2 & 3 Geo. 6, c. 70).
187	1924	The Expiring Laws Continuance Act, 1924 (15 Geo. 5, c. 1).	219	1939	The Trading with the Enemy Act, 1939 (2 & 3 Geo. 6, c. 89).
188	1925	The Trade Facilities Act, 1925 (15 & 16 Geo. 5, c. 13).	220	1939	The Expiring Laws Continuance Act, 1939 (3 & 4 Geo. 6, c. 1).
189	1925	The Army and Air Force (Annual) Act, 1925 (15 Geo. 5, c. 25).	221	1940	The Army and Air Force (Annual) Act, 1940 (3 & 4 Geo. 6, c. 18).
190	1925	The Expiring Laws Act, 1925 (15 & 16 Geo. 5, c. 76).	222	1940	The Emergency Powers (Defence) Act, 1940 (3 & 4 Geo. 6, c. 20).
191	1926	The Trade Facilities Act, 1926 (16 & 17 Geo. 5, c. 3).	223	1940	The Treachery Act, 1940 (3 & 4 Geo. 6, c. 21).
192	1926	The Secretaries of State Act, 1926 (16 & 17 Geo. 5, c. 18).	224	1940	The Evidence and Powers of Attorney Act, 1940 (3 & 4 Geo. 6, c. 28).
193	1927	The Royal and Parliamentary Titles Act, 1927 (17 & 18 Geo. 5, c. 4).	225	1940	The Emergency Powers (Defence) (No. 2) Act, 1940 (3 & 4 Geo. 6, c. 45).
194	1927	The Workmen's Compensation (Transfer of Funds) Act, 1927 (17 & 18 Geo. 5, c. 15).	226	1940	The Prolongation of Parliament Act, 1940 (3 & 4 Geo. 6, c. 53).
195	1927	The Royal Naval Reserve Act, 1927 (17 & 18 Geo. 5, c. 18).	227	1940	The Expiring Laws Continuance Act, 1940 (4 & 5 Geo. 6, c. 2).
196	1927	The Cinematograph Films Act, 1927 (17 & 18 Geo. 5, c. 29).	228	1940	The Naval and Marine Forces (Temporary Release from Service) Act, 1940 (4 & 5 Geo. 6, c. 4).
197	1927	The Indian Church Act, 1927 (17 & 18 Geo. 5, c. 40).	229	1941	The Army and Air Force (Annual) Act, 1941 (4 & 5 Geo. 6, c. 17).
198	1927	The Colonial Probates (Protected State and Mandated Territories) Act, 1927 (17 & 18 Geo. 5, c. 43).	230	1941	The Naval Discipline (Amendment) Act, 1941 (4 & 5 Geo. 6, c. 29).
199	1929	The Appellate Jurisdiction Act, 1929 (19 & 20 Geo. 5, c. 8).	231	1941	The Prolongation of Parliament Act, 1941 (4 & 5 Geo. 6, c. 48).
200	1929	The Companies Act, 1929 (19 & 20 Geo. 5, c. 23).	232	1941	The Expiring Laws Continuance Act, 1941 (5 & 6 Geo. 6, c. 3).
201	1934	The Air Force Reserve (Pilots and Observers) Act, 1934 (24 & 25 Geo. 5, c. 5).	233	1942	The Army and Air Force (Annual) Act, 1942 (5 & 6 Geo. 6, c. 15).
202	1935	The Superannuation Act, 1935 (25 and 26 Geo. 5, c. 23).	234	1942	The Royal Naval Volunteer Reserve Act, 1942 (5 & 6 Geo. 6, c. 18).

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235	1942	The United States of America (Visiting Forces) Act, 1942 (5 & 6 Geo., c. 31).	247	1944	The Finance Act, 1944 (7 & 8 Geo. 6, c. 23).
236	1942	The Prolongation of Parliament Act, 1942 (5 & 6 Geo. 6, c. 37).	248	1944	The Matrimonial Causes (War Marriages) Act, 1944 (7 & 8 Geo. 6, c. 43).
237	1943	The Workmen's Compensation Act, 1943 (6 & 7 Geo. 6, c. 6).	249	1944	The Prolongation of Parliament Act, 1944 (7 & 8 Geo. 6, c. 45).
238	1943	The Army and Air Force (Annual) Act, 1943 (6 & 7 Geo. 6, c. 15).	250	1944	The Expiring Laws Continuance Act, 1944 (8 & 9 Geo. 6, c. 2).
239	1943	The Evidence and Powers of Attorney Act, 1943 (6 & 7 Geo. 6, c. 18).	251	1945	The Army and Air Force (Annual) Act, 1945 (8 & 9 Geo. 6, c. 22).
240	1943	The Foreign Service Act, 1943 (6 & 7 Geo. 6, c. 35).	252	1946	The Patents and Designs Act, 1946 (9 & 10 Geo. 6, c. 44).
241	1943	The Regency Act, 1943 (6 & 7 Geo. 6, c. 42).	253	1946	The United Nations Act, 1946 (9 & 10 Geo. 6, c. 45).
242	1943	The Prolongation of Parliament Act, 1943 (6 & 7 Geo. 6, c. 46).	254	1946	The Army and Air Force (Annual) Act, 1946 (9 & 10 Geo. 6, c. 47).
243	1943	The Expiring Laws Continuance Act, 1943 (7 & 8 Geo. 6, c. 1).	255	1946	The Superannuation Act, 1946 (9 & 10 Geo. 6, c. 60).
244	1944	The Naval Forces (Extension of Service) Act, 1944 (7 & 8 Geo. 6, c. 13).	256	1946	The National Insurance (Industrial Injuries) Act, 1946 (9 & 10 Geo. 6, c. 62).
245	1944	The India (Attachment of States) Act, 1944 (7 & 8 Geo. 6, c. 14).	257	1946	The Expiring Laws Continuance Act, 1946 (10 & 11 Geo. 6, c. 1).
246	1944	The Army and Air Force (Annual) Act, 1944 (7 & 8 Geo. 6, c. 18).	258	1947	The Foreign Marriage Act, 1947 (10 & 11 Geo. 6, c. 33).

Assented to on 26-12-60

THE REPEALING AND AMENDING ACT, 1960 (ACT No. 58 of 1960)

AN ACT

to repeal certain enactments and to amend certain other enactments.

Enacted by Parliament in the Eleventh Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Repealing and Amending Act, 1960.

2. *Repeal of certain enactment.*—The enactments specified in the First Schedule are hereby repealed to the extent mentioned in the fourth column thereof.

3. *Amendment of certain enactments.*—The enactments specified in the Second Schedule are hereby amended to the extent and in the manner mentioned in the fourth column thereof.

4. *Savings.*—The repeal by this Act of any enactment shall not affect any other enactment in which the repealed enactment has been applied incorporated or referred to;

and this Act shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred, or any remedy or proceeding in res-

pect thereof, or any release or discharge of or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing;

nor shall this Act affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed, or recognised or derived by, in or from any enactment hereby repealed;

nor shall the repeal by this Act of any enactment revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

5. *Effect of repeal of amending enactment.*—For the removal of doubts, it is hereby declared that where this Act repeals any enactment by which the text of any other enactment, not being a Central Act, Ordinance or Regulation, was amended by the express omission, insertion or substitution of any matter, the repeal shall not affect the continuance of any such amendment made by the enactment so repealed and in operation at the commencement of this Act.

THE FIRST SCHEDULE

(See section 2)

REPEALS

Year 1	No. 2	Short title 3	Extent of repeal 4
<i>Central Acts</i>			
1860	34	The Government Officers' Indemnity Act, 1860	The whole.
1920	3	The United Provinces Town Improvement (Appeals) Act, 1920, as in force in the Union territory of Delhi	The whole
1922	13	The Ranchi Mental Hospital Act, 1922	The whole
1944	1	The Central Excises and Salt Act, 1944	Section 3A.
1949	65	The Abducted Persons (Recovery and Restoration) Act, 1949	The whole

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1950	36	The Nawab Salar Jang Bahadur (Administration of Assets) Act, 1950.	The whole
1950	44	The Displaced Persons (Claims) Act, 1950 ..	Section 17
1951	1	The Code of Criminal Procedure (Amendment) Act, 1951 ..	Sections 2 to 24
1951	2	The Code of Civil Procedure (Amendment) Act, 1951 ..	Sections 2 to 18
1951	40	The Industrial Disputes (Amendment and Temporary Provisions) Act, 1951 ..	So much as has not been repealed.
1952	30	The Requisitioning and Acquisition of Immovable Property Act, 1952 ..	Section 25
1952	40	The Displaced Persons (Claims) Amendment Act, 1952 ..	The whole
1952	75	The West Bengal Evacuee Property (Tripura Amendment) Act, 1952 ..	The whole
1952	76	The Influx from Pakistan (Control) Repealing Act, 1952 ..	Section 2
1952	81	The Delimitation Commission Act, 1952 ..	The whole
1954	2	The Cantonments (Amendment) Act, 1953 ..	The whole
1954	10	The Air Corporations (Amendments) Act, 1954 ..	The whole
1954	12	The Displaced Persons (Claims) Supplementary Act, 1954 ..	Section 13
1954	14	The Barsi Light Railway Company (Transferred Liabilities) Act, 1954 ..	Section 5
1954	15	The Transfer of Evacuee Deposits Act, 1954 ..	Section 14
1954	22	The Indian Railways (Amendment) Act, 1954 ..	The whole
1954	24	The Voluntary Surrender of Salaries (Exemption from Taxation) Amendment Act, 1954 ..	The whole
1954	25	The Factories (Amendment) Act, 1954 ..	The whole
1954	26	The Minimum Wages (Amendment) Act, 1954 ..	The whole
1954	30	The Salaries and Allowances of Members of Parliament Act, 1954 ..	Section 10
1954	34	The Central Excises and Salt (Amendment) Act, 1954 ..	The whole
1954	35	The Indian Tariff (Amendment) Act, 1954 ..	The whole
1954	39	The Indian Tariff (Second Amendment) Act, 1954 ..	The whole
1954	45	The Andhra State Legislature (Delegation of powers) Act, 1954 ..	The whole
1954	46	The Indian Tariff (Third Amendment) Act, 1954 ..	The whole
1954	48	The Industrial Disputes (Amendment) Act, 1954 ..	The whole
1954	49	The Tea (Amendment) Act, 1954 ..	The whole
1954	50	The Coffee Market Expansion (Amendment) Act, 1954 ..	The whole
1954	52	The Tea (Second Amendment) Act, 1954 ..	The whole
1954	54	The Rubber (Production and Marketing) Amendment Act, 1954 ..	The whole
1954	55	The Delimitation Commission (Amendment) Act, 1954 ..	The whole
1955	2	The Imports and Exports (Control) Amendment Act, 1955 ..	The whole
1955	9	The Salaries and Allowances of Members of Parliament (Amendment) Act, 1955 ..	The whole
1955	11	The Drugs (Amendment) Act, 1955 ..	The whole
1955	12	The Dentists (Amendment) Act, 1955 ..	The whole
1955	13	The Finance Commission (Miscellaneous Provisions) Amendment Act, 1955 ..	The whole
1955	17	The Indian Railways (Amendment) Act, 1955 ..	The whole
1955	18	The Insurance (Amendment) Act, 1955 ..	The whole
1955	19	The Commanders-in-Chief (Change in Designation) Act, 1955 ..	Section 2 and the Schedule
1955	21	The Sea Customs (Amendment) Act, 1955 ..	The whole
1955	23	The State Bank of India Act, 1955 ..	Sections 52, 53 and 54 and the Third, Fourth and Fifth Schedules.
1955	24	The Reserve Bank of India (Amendment) Act, 1955 ..	The whole
1955	25	The Hindu Marriage Act, 1955 ..	Section 30
1955	26	The Code of Criminal Procedure (Amendment) Act, 1955 ..	Sections 2 to 115 and 117 and the Schedule.
1955	27	The Indian Tariff (Amendment) Act, 1955 ..	The whole
1955	28	The Industrial and State Financial Corporations (Amendment) Act, 1955 ..	The whole
1955	31	The Indian Coinage (Amendment) Act, 1955 ..	The whole
1955	33	The State Bank of India (Amendment) Act, 1955 ..	The whole
1955	35	The Land Customs (Amendment) Act, 1955 ..	The whole
1955	37	The Negotiable Instruments (Amendment) Act, 1955 ..	The whole
1955	40	The Chartered Accountants (Amendment) Act, 1955 ..	The whole
1955	43	The Indian Stamp (Amendment) Act, 1955 ..	The whole
1955	44	The Abolition of Whipping Act, 1955 ..	The whole
1955	45	The Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1955 ..	Section 21
1955	48	The Indian Tariff (Second Amendment) Act, 1955 ..	The whole

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1955	49	The Indian Tariff (Third Amendment) Act, 1955 ..	The whole
1955	50	The Prevention of Corruption (Amendment) Act, 1955 ..	The whole
1955	51	The Railway Stores (Unlawful Possession) Act, 1955 ..	Section 4
1955	54	The Insurance (Second Amendment) Act, 1955 ..	The whole
1955	55	The Press and Registration of Books (Amendment) Act, 1955 ..	The whole
1955	57	The Citizenship Act, 1955 ..	Section 19
1956	2	The Representation of the People (Amendment) Act, 1956 ..	The whole
1956	6	The Voluntary Surrender of Salaries (Exemption from Taxation) Amendment Act, 1956 ..	The whole
1956	7	The Sales-tax Laws Validation Act, 1956 ..	Section 3
1956	8	The Capital Issues (Continuance of Control) Amendment Act, 1956 ..	The whole
1956	9	The Life Insurance (Emergency Provisions) Act, 1956 ..	Section 18
1956	17	The Indian Registration (Amendment) Act, 1956 ..	The whole
1956	22	The Indian Red Cross Society (Amendment) Act, 1956 ..	The whole
1956	27	The Representation of the People (Second Amendment) Act, 1956 ..	Sections 2 to 73 and 75 to 83
1956	28	The Agricultural Produce (Development and Warehousing) Corporations Act, 1956 ..	Section 55
1956	29	The Travancore-Cochin State Legislature (Delegation of Powers) Act, 1956 ..	The whole
1956	30	The Hindu Succession Act, 1956 ..	Section 31
1956	34	The Multi-Unit Co-operative Societies (Amendment) Act, 1956 ..	The whole
1956	35	The Indian Lac Cess (Amendment) Act, 1956 ..	The whole
1956	36	The Industrial Disputes (Amendment and Miscellaneous Provisions) Act, 1956 ..	Sections 2 to 29 and 32
1956	38	The Reserve Bank of India (Amendment) Act, 1956 ..	The whole
1956	39	The Code of Criminal Procedure (Amendment) Act, 1956 ..	The whole
1956	41	The Industrial Disputes (Amendment) Act, 1956 ..	The whole
1956	42	The Securities Contracts (Regulation) Act, 1956 ..	Section 31
1956	47	The Indian Coconut Committee (Amendment) Act, 1956 ..	The whole
1956	54	The Indian Post Office (Amendment) Act, 1956 ..	The whole
1956	56	The State Financial Corporations (Amendment) Act, 1956 ..	The whole
1956	58	The Central Excises and Salt (Amendment) Act, 1956 ..	The whole
1956	59	The Indian Railways (Amendment) Act, 1956 ..	The whole
1956	60	The Representation of the People (Third Amendment) Act, 1956 ..	The whole
1956	64	The Indian Tariff (Amendment) Act, 1956 ..	The whole
1956	66	The Code of Civil Procedure (Amendment) Act, 1956 ..	Sections 2 to 15
1956	68	The Union Territories (Laws) Amendment) Act, 1956 ..	The whole
1956	71	The Industries (Development and Regulation) Amendment Act, 1956 ..	The whole.
1956	72	The Representation of the People (Fourth Amendment) Act, 1956 ..	The whole
1956	73	The Hindu Marriage (Amendment) Act, 1956 ..	The whole
1956	74	The Central Sales Tax Act, 1956 ..	Section 16
1956	75	The Kerala State Legislature (Delegation of Powers) Act, 1956 ..	The whole
1956	78	The Hindu Adoptions and Maintenance Act, 1956 ..	Section 29
1956	79	The State Bank of Hyderabad Act, 1956 ..	Sections 43 and 46 and the Second Schedule.
1956	81	The Central Excises and Salt (Second Amendment) Act, 1956 ..	The whole
1956	86	The Displaced Persons (Compensation and Rehabilitation) Amendment Act, 1956 ..	The whole
1956	87	The Road Transport Corporations (Amendment) Act, 1956 ..	The whole
1956	88	The Representation of the People (Miscellaneous Provisions) Act, 1956 ..	Sections 3 and 4
1956	92	The Territorial Army (Amendment) Act, 1956 ..	The whole
1956	94	The Employees' Provident Funds (Amendment) Act, 1956 ..	The whole
1956	95	The Banking Companies (Amendment) Act, 1956 ..	Sections 2 to 13 and items 2 to 10 in the Schedule
1956	99	The Delivery of Books (Public Libraries) Amendment Act, 1956 ..	The whole
1956	100	The Motor Vehicles (Amendment) Act 1956 ..	Sections 2 to 21 and 23 to 102
1956	101	The Electricity (Supply) Amendment Act, 1956 ..	The whole
1957	7	The Prevention of Corruption (Amendment) Act, 1957 ..	The whole
1957	10	The Sea Customs (Amendment) Act, 1957 ..	The whole
1957	11	The Foreigners Laws (Amendment) Act, 1957 ..	The whole
1957	12	The Provisional Collection of Taxes (Temporary Amendment) Act, 1957 ..	The whole
1957	13	The Essential Commodities (Amendment) Act, 1957 ..	The whole
1957	16	The Central Sales Tax (Amendment) Act, 1957 ..	The whole

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1957	17	The Life Insurance Corporation (Amendment) Act, 1957	Sections 2 to 5 and 7
1957	18	The Industrial Disputes (Amendment) Act, 1957	The whole
1957	19	The Reserve Bank of India (Amendment) Act, 1957	The whole
1957	21	The State Bank of India (Amendment) Act, 1957	The whole
1957	28	The Essential Commodities (Second Amendment) Act, 1957	The whole
1957	30	The Minimum Wages (Amendment) Act, 1957	The whole
1957	31	The Dhooties (Additional Excise Duty) Amendment Act, 1957	The whole
1957	32	The Forward Contracts (Regulation) Amendment Act, 1957	Section 2
1957	34	The Indian Succession (Amendment) Act, 1957	The whole
1957	35	The Insurance (Amendment) Act, 1957	The whole
1957	36	The Repealing and Amending Act, 1957	The whole
1957	37	The Legislative Councils Act, 1957	Sections 12 and 13
1957	39	The Foreign Exchange Regulation (Amendment) Act, 1957	The whole
1957	40	The Industrial Disputes (Banking Companies) Decision Amendment Act, 1957	The whole
1957	41	The Indian Tariff (Amendment) Act, 1957	The whole
1957	42	The Naga Hills Tuensang Area Act, 1957	Section 5
1957	43	The Industrial Finance Corporation (Amendment) Act, 1957	The whole
1957	45	The Indian Nursing Council (Amendment) Act, 1957	The whole
1957	48	The Reserve Bank of India (Second Amendment) Act, 1957	The whole
1957	49	The Central Excises and Salt (Amendment) Act, 1957	The whole
1957	50	The Capital Issues (Control) Amendment Act, 1957	The whole
1957	51	The Coal Bearing Areas (Acquisition and Development) Amendment Act, 1957	The whole
1957	52	The Opium Laws (Amendment) Act, 1957	The whole
1957	53	The Indian Railways (Amendment) Act, 1957	Sections 2 to 17
1957	55	The Union Duties of Excise (Distribution) Act, 1957	Section 6
1957	59	The Damodar Valley Corporation (Amendment) Act, 1957	The whole
1957	60	The Indian Tariff (Second Amendment) Act, 1957	The whole
1957	62	The Navy Act, 1957	Section 186
1957	65	The Citizenship (Amendment) Act, 1957	The whole
1957	66	The Delhi Municipal Corporation Act, 1957	Sections 505 and 506
1957	67	The Mines and Minerals (Regulation and Development) Act, 1957	Section 32 and the Third Schedule.
1957	68	The Payment of Wages (Amendment) Act, 1957	The whole
1958	1	The Requisitioning and Acquisition of Immovable Property (Amendment) Act, 1958	The whole
1958	2	The Criminal Law Amendment Act, 1958	The whole
1958	3	The Indian Reserve Forces (Amendment) Act, 1958	The whole
1958	5	The Central Sales Tax (Amendment) Act, 1958	The whole
1958	7	The Indian Post Office (Amendment) Act, 1958	The whole
1958	13	The Bombay, Calcutta and Madras Port Trusts (Amendment) Act, 1958	The whole
1958	15	The Mines and Minerals (Regulation and Development) Amendment Act, 1958	The whole
1958	16	The Indian Oaths (Amendment) Act, 1958	The whole
1958	17	The Hyderabad Securities Contracts Regulation (Repeal) Act, 1958	The whole
1958	19	The Indian Stamp (Amendment) Act, 1958	The whole
1958	22	The Employees' Provident Funds (Amendment) Act, 1958	The whole
1958	25	The All-India Services (Amendment) Act, 1958	The whole
1958	26	The Code of Criminal Procedure (Amendment) Act, 1958	The whole
1958	27	The Mineral Oils (Additional Duties of Excise and Customs) Act, 1958	Section 6
1958	28	The Armed Forces (Assam and Manipur) Special Powers Act, 1958	Section 7
1958	29	The Working Journalists (Fixation of Rates of Wages) Act, 1958	Section 14
1958	30	The Sugar Export Promotion Act, 1958	Section 14
1958	31	The Central Sales Tax (Second Amendment) Act, 1958	The whole
1958	32	The Public Premises (Eviction of Unauthorised Occupants) Act, 1958	Section 14
1958	34	The Banaras Hindu University (Amendment) Act, 1958	The whole
1958	36	The Indian Medical Council (Amendment) Act, 1958	The whole
1958	37	The Rajghat Samadhi (Amendment) Act, 1958	The whole
1958	38	The Industrial Disputes (Banking Companies) Decision Amendment Act, 1958	The whole
1958	39	The Sea Customs (Amendment) Act, 1958	The whole
1958	45	The Tea (Alteration in Duties of Customs and Excise) Act, 1958	The whole

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1958	46	The High Court Judges (Conditions of Service) Amendment Act, 1958	The whole
1958	47	The Poisons (Amendment) Act, 1958	The whole
1958	48	The Assam Rifles (Amendment) Act, 1958	The whole
1958	52	The Indian Tariff (Amendment) Act, 1958	The whole
1958	53	The Foreign Exchange Regulation (Amendment) Act, 1958	The whole
1958	55	The Salaries and Allowances of Members of Parliament (Amendment) Act, 1958	The whole
1958	56	The Himachal Pradesh Legislative Assembly (Constitution and Proceedings) Validation Act, 1958	Section 5
1958	58	The Representation of the People (Amendment) Act, 1958	The whole
1958	59	The Delhi Rent Control Act, 1958	Section 53
<i>Acts in force in the Union territories</i>			
		The U.P. Home Guards Act, 1947 (U.P. Act 1 of 1947) as in force in the Union territory of Delhi	The whole
		The Punjab Tobacco Vend Fees Act, 1934 (Punjab Act 5 of 1934) as in force in the Union territory of Himachal Pradesh	The whole
<i>Ordinances made by the Governor-General</i>			
1942	11	The Police (Resignation of Office) Ordinance, 1942	So much as is in force in the Union territories of the Andaman and Nicobar Islands and Delhi.
1942	66	The Armed Forces (Special Powers) Extension Ordinance, 1942	The whole
<i>Other Enactments</i>			
1888		The Proclamation issued under date the 30th June, 1888 corresponding to the 18th Mithunom 1063 regarding relinquishment of adiyaras	So much as has not been repealed.
1890	3	The Calcutta Port Act, 1890	Section 77
1923	4	The Madras Port Trust (Amendment) Act, 1922	The whole
1929	7	The Madras Port Trust (Amendment) Act, 1929	The whole
1943	9	The Patiala State Indian Standard Time (Interpretation of References) Ordinance, 2000	The whole
1944	6	The Travancore Enemy Agents Act, 1120	The whole
1944	17	The Patiala State Military Stores (Unlawful Possession) Ordinance, 2000	The whole
1947	15	The Travancore Registration of Adults Act, 1122	The whole
1948	41	The Saurashtra Railways (Substitution of Parties in Civil Proceedings) Ordinance, 1948	The whole
1948	58	The Saurashtra United Nations (Security Council) Ordinance, 1948	The whole
1948	59	The Saurashtra United Nations (Privileges and Immunities) Ordinance, 1948	The whole
1949	22	The Patiala and East Punjab States Union United Nations (Security Council) Ordinance, 2005	The whole
1949	23	The Patiala and East Punjab States Union United Nations (Privileges and Immunities) Ordinance, 2005	The whole
1949	16	The Patiala and East Punjab States Union Audit of Accounts Ordinance, 2006	The whole

THE SECOND SCHEDULE

(See section 3)

AMENDMENTS

Year 1	No. 2	Short title 3	Amendments 4
<i>Central Acts</i>			
1881	11	The Municipal Taxation Act, 1881	In section 3, for the portion beginning with the words "specified tax" and ending with the words "limits of a municipality", the following shall be substituted, namely:— "specified tax payable by any person subject to the Army Act, 1950, (46 of 1950), the Navy Act, 1957 (62 of 1957), or the

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			Air Force Act, 1950 (45 of 1950), who is compelled by the exigencies of military, naval or air-force duty to reside within the limits of a municipality."
1890	6	The Charitable Endowments Act, 1890.	In section 15,— (i) for the words and figures "of section III of the Statute 53, George III, Chapter 155, or of any other enactment", the words "of any enactment" shall be substituted; (ii) the words "at a Presidency" shall be omitted; (iii) for the expression "or of sections 8, 9, 10 and 11 of Act No. XVII of 1864 (An Act to constitute an office of Official Trustee)", the expression "or of the Official Trustees Act, 1913", shall be substituted.
1890	9	The Indian Railways Act, 1890	(i) In section 39, the word "or" occurring after the words "Central Government" shall be omitted. (ii) in sub-section (1) of section 143, the words, figures and brackets, "section 34" and "sub-section (4)," shall be omitted. (iii) In section 148,— (a) in sub-section (1), the figures "144" shall be omitted; (b) in sub-section (2), for the brackets, figures and word "(2) and (4)", the word, brackets and figure "and (2)", shall be substituted.
1898	5	The Code of Criminal Procedure, 1898.	(i) In sub-section (2) of section 348, before the word and figures "section 209", the words, brackets, figures and letter "sub-section (f) of section 207A, or" shall be inserted. (ii) In section 419, the words "or a copy of the transcript of charge to the jury delivered in English" shall be inserted at the end.
1903	10	The Victoria Memorial Act, 1903	In sub-section (1) of section 2,— (a) in clause (d), the words "of high rank" and "to represent the Chiefs and Nobles of India" shall be omitted; (b) in clause (e), for the words "in the Ministry of States", the words "in the Ministry concerned with matters relating to the Victoria Memorial" shall be substituted; (c) in clause (g), for the word "Chairman", the word "Mayor" shall be substituted.
	3	The Presidency-towns Insolvency Act, 1909.	In clause (h) of section 2, the word "and" at the end shall be omitted.
1923	8	The Workmen's Compensation Act, 1923.	(i) In clause (iii) of sub-section (2) of section 32, the word "and" at the end shall be omitted. (ii) To Schedule I, the following Note shall be added, namely:— "Note.—Complete and permanent loss of the use of any limb or member referred to in this Schedule shall be deemed to be the equivalent of the loss of that limb or member."
1924	2	The Cantonments Act, 1924	In section 161, for the words "he may", the words "the Board may" shall be substituted.
1934	2	The Reserve Bank of India Act, 1934.	In sub-section (1) of section 54A, the words "by or" after the words "exercisable by him" shall be omitted.
1939	4	The Motor Vehicles Act, 1939	(i) In clause (e) of sub-section (2) of section 41, for the words, brackets and figures "sub-section (1) of section 37", the words, brackets and figures "sub-section (3) of section 36" shall be substituted. (ii) In clause (b) of section 54, the word "seating" shall be omitted. (iii) In sub-section (3) of section 58, before the word "proviso", the word "first" shall be inserted. (iv) In item (c) of sub-clause (i) of clause (b) of sub-section (2) of section 96, for the words "a public service vehicle or a goods vehicle", the words "a transport vehicle" shall be substituted. (v) In sub-section (2) of section 108, for the words "public service vehicle", the words "transport vehicle" shall be substituted.

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			(vi) In Form D in the First Schedule, for the portion below the heading "Authorisation to drive a transport vehicle" and above the words, "This licence is hereby renewed up to....."
			Signature of Licensing Authority",
			the following shall be substituted namely:—
			"So long as this licence is valid and is renewed from time to time the holder is authorised to drive a transport vehicle.
		Date.....19	Signature and designation of prescribed authority."
1942	6	The Multi-Unit Co-operative Societies Act, 1942.	In sub-section (1) of section 5C, after the words "Twelfth Schedule" the words and figures "to the Bombay Re-organisation Act, 1960," shall be inserted.
1947	7	The Foreign Exchange Regulation Act, 1947.	In clause (a) of sub-section (6) of section 14, for the words "documents of title", the words "certificates of title" shall be substituted.
1947	15	The Armed Forces (Emergency Duties) Act, 1947.	In sub-section (2) of section 2, for the words, brackets and figures "the Indian Navy (Discipline) Act, 1934", the words and figures "the Navy Act, 1957" shall be substituted.
1950	43	The Representation of the People Act, 1950.	(i) In clause (c) of sub-section (1) of section 16, the words "and illegal" shall be omitted. (ii) In the proviso to sub-section (3) of section 23, the words "in the same State" shall be omitted. (iii) In the Fifth Schedule, for the heading "(See sections 23A (2), 27D and 7C)", the heading "[See section 27A(2)]" shall be substituted.
1952	37	The Cinematograph Act, 1952	(i) In section 11, for the words and letter "Part C State", the words "Union territory" shall be substituted. (ii) In sub-section (1) of section 13, for the words and letter "whole Part C State or any part thereof", the words "whole or any part of a Union territory" shall be substituted.
1955	16	The Medical and Toilet Preparations (Excise Duties) Act, 1955.	In clause (iv) of sub-section (2) of section 19, for the words "of any process", the words "or any process" shall be substituted.
1956	28	The Agricultural Produce (Development and Warehousing) Corporations Act, 1956.	(i) In clause (v) of section 31, after the words "any interest in", the words "any" shall be inserted. (ii) In clause (c) of sub-section (2) of section 54, after the words "such meetings", the word "and" shall be inserted.
1956	30	The Hindu Succession Act, 1956	"In section 30, the brackets and figures (1)" before the words "Any Hindu" shall be omitted.
1956	51	The Indian Institute of Technology (Kharagpur) Act, 1956.	In clause (c) of section 26, the word "by" shall be omitted.
1956	96	The Slum Areas (Improvement and Clearance) Act, 1956.	In section 38, for the word "him", the word "it" shall be substituted.
1957	20	The Coal Bearing Areas (Acquisition and Development) Act, 1957.	In clause (b) of section 24, after the words "directed to an individual," the words "be served on such individual" shall be, and shall be deemed always to have been, inserted.
1957	27	The Wealth-tax Act, 1957	(i) In sub-section (2) of section 14, for the words "and setting forth such other particulars as may be required in the notice", the words and brackets "setting forth (along with such other particulars as may be required by the notice)" shall be substituted. (ii) In sub-section (6) of section 24, for the brackets and figure "4" the brackets and figure ("5") shall be substituted.
1957	29	The Expenditure-tax Act, 1957	In sub-section (2) of section 13, for the words "and setting forth such other particulars as may be required in the notice relating to the expenditure of such person", the words and brackets "setting forth (along with such other particulars as may be required by the notice) his expenditure" shall be substituted.

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1957	37	The Legislative Councils Act, 1957	In sub-section (8) of section 8, for the figures, letters and word "26th April, 1958", the figures, letters and word "13th May, 1958" shall be, and shall be deemed always to have been, substituted.
1957	62	The Navy Act, 1957	In section 63, in sub-sections (1) and (2), for the word "abroad" the word "aboard" shall be, and shall be deemed always to have been, substituted.
1957	66	The Delhi Municipal Corporation Act, 1957.	(i) In sub-section (2) of section 222, for the words "inspect, repair, alter, renew or remove", the words "inspects, repairs, alters, renews or removes" shall be substituted. (ii) in sub-section (5) of section 397, for the word "Swines", the word "Swine" shall be substituted.
1958	18	The Gift-tax Act, 1958	(i) In sub-section (3) of section 19, for the words "that section", the words "those sections" shall be substituted. (ii) In sub-section (1) of section 20, for the words "on the amount of taxable gifts", the words "on the value of the taxable gifts" shall be substituted.
1958	43	The Trade and Merchandise Marks Act, 1958.	(i) In sub-section (1) of section 4, for the word "Registrar", the words "Registrar of Trade Marks" shall be substituted. (ii) In sub-section (2) of section 136, before the words and figures "the Trade Marks Act, 1940", the words and figures "the Indian Merchandise Marks Act, 1889, or" shall be inserted.
1958	44	The Merchant Shipping Act, 1958	(i) In sub-section (3) of section 45, for the words "in any case", the words "in case" shall be substituted. (ii) In sub-section (4) of section 55, for the word "sub-section" in the first place where it occurs, the word "section" shall be substituted.
1958	59	The Delhi Rent Control Act, 1958	(i) In section 46, for the words "Estate Officer to the Government of India", the words "Director of Estates" shall be substituted. (ii) In sub-section (2) of section 47,— (a) in clause (a), for the words "Estate Officer to the Government of India", the words "Director of Estates" shall be substituted; (b) in clause (b) and the first proviso, for the words "Estate Officer", the words "Director of Estates" shall be substituted.
1959	10	The Parliament (Prevention of Disqualification) Act, 1959.	In part I of the Schedule, under the heading "BODIES UNDER THE CENTRAL GOVERNMENT"— (i) in the third, fourth, fifth, sixth, seventh, eleventh, twelfth, thirteenth, fifteenth and sixteenth items, the brackets and word "(Private)" shall be omitted; (ii) in the ninth item, for the words and brackets "Nangal Fertilizers and Chemicals (Private) Limited.", the words "Hindustan Chemicals and Fertilizers Limited" shall be substituted; (iii) in the eleventh item, after the word "National", the word "Industrial" shall be inserted.

Assented to on 26-12-60.

THE PREVENTION OF CRUELTY TO ANIMALS ACT, 1960

(ACT NO. 59 OF 1960)

AN ACT

to prevent the infliction of unnecessary pain or suffering on animals and for that purpose to amend the law relating to the prevention of cruelty to animals.

BE it enacted by Parliament in the Eleventh Year of the Republic of India as follows:—

CHAPTER I PRELIMINARY

1. *Short title, extent and commencement.*—(1) This Act may be called the Prevention of Cruelty to Animals Act, 1960.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint, and different dates may be appointed for different States and for the different provisions contained in this Act.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) "animal" means any living creature other than human being;

(b) "Board" means the Animal Welfare Board established under section 4;

(c) "captive animal" means any animal (not being a domestic animal) which is in captivity or confinement, whether permanent or temporary,

or which is subjected to any appliance or contrivance for the purpose of hindering or preventing its escape from captivity or confinement or which is pinioned or which is or appears to be maimed;

(d) "domestic animal", means any animal which is tamed or which has been or is being sufficiently tamed to serve some purpose for the use of man or which, although it neither has been nor is being nor is intended to be so tamed, is or has become in fact wholly or partly tamed;

(e) "local authority" means a municipal committee, district board or other authority for the time being invested by law with the control an administration of any matters within a specified local area;

(f) "owner", used with reference to an animal, includes not only the owner but also any other person for the time being in possession or custody of the animal, whether with or without the consent of the owner;

(g) "phooka" or "doom der" includes any process of introducing air or any substance into the female organ of a milch animal with the object of drawing off from the animal any secretion of milk;

(h) "prescribed" means prescribed by rules made under this Act;

(i) "street" includes any way, road, lane, square, court, alley, passage or open space, whether a thoroughfare or not, to which the public have access.

3. *Duties of persons having charge of animals.*—It shall be the duty of every person having the care or charge of any animal to take all reasonable measures to ensure the well being of such animal and to prevent the infliction upon such animal of unnecessary pain or suffering.

CHAPTER II

ANIMAL WELFARE BOARD

4. *Establishment of Animal Welfare Board.*—(1) For the promotion of animal welfare generally and for the purpose of protecting animals from being subjected to unnecessary pain or suffering, in particular, there shall be established by the Central Government, as soon as may be after the commencement of this Act, a Board to be called the Animal Welfare Board.

(2) The board shall be a body corporate having perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire, hold and dispose of property and may by its name sue and be sued.

5. *Constitution of the Board.*—(1) The Board shall consist of the following persons, namely:—

(a) the Inspector General of Forests, Government of India, *ex officio*;

(b) the Animal Husbandry Commissioner to the Government of India, *ex officio*;

(c) one person to represent such association of veterinary practitioners as in the opinion of the Central Government ought to be represented on the Board, to be elected by that association on the prescribed manner;

(d) two persons to represent practitioners of modern and indigenous systems of medicine, to be nominated by the Central Government;

(e) one person to represent each of the municipal corporations of Bombay, Calcutta, Delhi and Madras, and one person to represent any other municipal corporation as, in the opinion of

the Central Government, ought to be represented on the Board to be elected by each of the said corporations in the prescribed manner;

(f) one person to represent each of such three organisations activity interested in animal welfare as in the opinion of the Central Government ought to be represented on the Board, to be chosen by each of the said organisations in the prescribed manner;

(g) one person to represent each of such three societies dealing with prevention of cruelty to animals as in the opinion of the Central Government ought to be represented on the Board, to be chosen in the prescribed manner;

(h) three persons to be nominated by the Central Government;

(i) six members of Parliament, four to be elected by the House of the People (Lok Sabha) and two by the Council of States (Rajya Sabha).

(2) Any of the persons referred to in clause (a) or clause (b) of sub-section (1) may depute any other person to attend any of the meetings of the Board.

(3) One of the members of the Board shall be nominated by the Central Government to be its Chairman.

6. *Terms of office and conditions of service of members of the Board.*—(1) Save as otherwise provided in this section, the term of office of a member of the Board shall be three years.

(2) Subject to the provisions contained in sub-section (4), the term of office of the member elected to represent any municipal corporation (other than the corporations of Bombay, Calcutta, Delhi and Madras) shall be one year from the date on which such member assumes office.

(3) The term of office of an *ex officio* member shall continue so long as he holds the office by virtue of which he is such a member.

(4) The term of office of a member elected or chosen under clause (c), clause (e), clause (f), clause (g) or clause (i) of section 5 to represent any body of persons shall come to an end as soon as he ceases to be a member of the body which elected him or in respect of which he was chosen.

(5) The term of office of a member nominated, elected or chosen to fill a casual vacancy shall continue for the remainder of the term of office of the member in whose place he is nominated, elected or chosen.

(6) The members of the Board shall receive such allowances, if any, as the Board may, subject to the previous approval of the Central Government, provide by regulations made by it in this behalf.

(7) No act done or proceeding taken by the Board shall be questioned on the ground merely of the existence of any vacancy in, or defect in the constitution of, the Board.

7. *Secretary and other employees of the Board.*—(1) The Central Government shall appoint one of its officers to be the Secretary of the Board.

(2) Subject to such rules as may be made by the Central Government in this behalf, the Board may appoint such number of other officers and employees as may be necessary for the exercise of its powers and the discharge of its functions and may determine the terms and conditions of service of such officers and other employees by regulations made by it with the previous approval of the Central Government.

8. *Funds of the Board.*—The funds of the Board shall consist of grants made to it from time to time by the

Government and of contributions, donations, subscriptions, bequests, gifts and the like made to it by any local authority or by any other person.

9. *Functions of the Board.*—The functions of the Board shall be—

- (a) to keep the law in force in India for the prevention of cruelty to animals under constant study and advise the Government on the amendments to be undertaken in any such law from time to time;
- (b) to advise the Central Government on the making of rules under this Act with a view to preventing unnecessary pain or suffering to animals generally, and more particularly when they are being transported from one place to another or when they are used as performing animals or when they are kept in captivity or confinement;
- (c) to advise the Government or any local authority or other person on improvements in the design of vehicles so as to lessen the burden on draught animals;
- (d) to take all such steps as the Board may think fit for ameliorating the condition of beasts of burden by encouraging, or providing for, the construction of sheds, water-troughs and the like and by providing for veterinary assistance to animals;
- (e) to advise the Government or any local authority or other person in the design of slaughter-houses or in the maintenance of slaughter-houses or in connection with slaughter of animals so that unnecessary pain or suffering, whether physical or mental, is eliminated in the pre-slaughter stages as far as possible, and animals are killed, wherever necessary, in as humane a manner as possible;
- (f) to take all such steps as the Board may think fit to ensure that unwanted animals are destroyed by local authorities, whenever it is necessary to do so, either instantaneously or after being rendered insensible to pain or suffering;
- (g) to encourage, by the grant of financial assistance or otherwise, the formation of *pinjrapoles*, sanctuaries and the like where animals and birds may find a shelter when they have become old and useless or when they need protection;
- (h) to co-operate with, and co-ordinate the work of, associations or bodies established for the purpose of preventing unnecessary pain or suffering to animals or for the protection of animals and birds;
- (i) to give financial and other assistance to animal welfare organisations functioning in any local area or to encourage the formation of animal welfare organisations in any local area which shall work under the general supervision and guidance of the Board;
- (j) to advise the Government on matters relating to the medical care and attention which may be provided in animal hospitals and to give financial and other assistance to animal hospitals whenever the Board thinks it necessary to do so;
- (k) to impart education in relation to the human treatment of animals and to encourage the formation of public opinion against the infliction of unnecessary pain or suffering to animals and for the promotion of animal welfare by means of lectures, books, posters, cinematographic exhibitions and the like;

(l) to advise the Government on any matter connected with animal welfare or the prevention of infliction of unnecessary pain or suffering on animals.

10. *Power of Board to make regulations.*—The Board may, subject to the previous approval of the Central Government, make such regulations as it may think fit for the administration of its affairs and for carrying out its functions.

CHAPTER III

CRUELTY TO ANIMALS GENERALLY

11. *Treating animals cruelly.*—(1) If any person—

- (a) beats, kicks, over-rides, over-drives, over-loads, tortures or otherwise treats any animal so as to subject it to unnecessary pain or suffering or causes or being the owner permits, any animal to be so treated; or
- (b) employs in any work or labour any animal which, by reason of any disease, infirmity, wound, sore or other cause, is unfit to be so employed or being the owner, permits any such unfit animal to be so employed; or
- (c) wilfully and unreasonably administers any injurious drug or injurious substance to any domestic or captive animal or wilfully and unreasonably causes or attempts to cause any such drug or substance to be taken by any domestic or captive animal; or
- (d) conveys or carries, whether in or upon any vehicle or not, any animal in such a manner or position as to subject it to unnecessary pain or suffering; or
- (e) keeps or confines any animal in any cage or other receptacle which does not measure sufficiently in height, length and breadth to permit the animal a reasonable opportunity for movement; or
- (f) keeps for an unreasonable time any animal chained or tethered upon an unreasonably short or unreasonably heavy chain or cord; or
- (g) being the owner, neglects to exercise or cause to be exercised reasonably any dog habitually chained up or kept in close confinement; or
- (h) being the owner of any captive animal, fails to provide such animal with sufficient food, drink or shelter; or
- (i) without reasonable cause, abandons any animal in circumstances which render it likely that it will suffer pain by reason of starvation or thirst; or
- (j) wilfully permits any animal, of which he is the owner, to go at large in any street while the animal is affected with contagious or infectious disease or, without reasonable excuse permits any diseased or disabled animal, of which he is the owner, to die in any street; or
- (k) offers for sale or, without reasonable cause, has in his possession any animal which is suffering pain by reason of mutilation, starvation, thirst, overcrowding or other ill-treatment; or
- (l) needlessly mutilates any animals or kills any animals in an unnecessarily cruel manner; or
- (m) confines or causes to be confined any animal in such a manner as to make it an object of prey for any other animal solely with a view to providing entertainment for other persons; or
- (n) for the purposes of his business, organises, keeps, uses or acts in the management of, any place for animal fighting or for the purpose of baiting any animal or permits or offers any place to be so used or receives money for the admission of any

other person to any place kept or used for any such purposes; or

- (to) promotes or takes part in any shooting match or competition wherein animals are released from captivity for the purpose of such shooting;

he shall be punishable, in the case of a first offence, with fine which may extend to fifty rupees, and, in the case of a second or subsequent offence committed within three years of the previous offence, with fine which may extend to one hundred rupees, or with imprisonment for a term which may extend to three months, or with both.

(2) For the purposes of sub-section (1), an owner shall be deemed to have committed an offence if he has failed to exercise reasonable care and supervision with a view to the prevention of such offence:

Provided that where an owner is convicted of permitting cruelty by reason only of having failed to exercise such care and supervision, he shall not be liable to imprisonment without the option of a fine.

(3) Nothing in this section shall apply to—

- (a) the dehorning of cattle, or the castration or branding or nose-roping of any animal, in the prescribed manner; or
- (b) the destruction of stray dogs in lethal chambers or by other methods with a minimum of suffering; or
- (c) the extermination or destruction of any animal under the authority of any law for the time being in force; or
- (d) any matter dealt with in Chapter IV; or
- (e) the commission or omission of any act in the course of the destruction or the preparation for destruction of any animal as food for mankind unless such destruction or preparation was accompanied by the infliction of unnecessary pain or suffering.

12. *Penalty for practising phooka or doom dev.*—If any person performs upon any cow or other milch animal the operation called *phooka* or *doom dev* or permits such operation being performed upon any such animal in his possession or under his control, he shall be punishable with fine which may extend to one thousand rupees, or with imprisonment for a term which may extend to two years, or with both, and the animal on which the operation was performed shall be forfeited to the Government.

13. *Destruction of suffering animals.*—(1) Where the owner of an animal is convicted of an offence under section 11, it shall be lawful for the court, if the court is satisfied that it would be cruel to keep the animal alive, to direct that the animal be destroyed and to assign the animal to any suitable person for that purpose, and the person to whom such animal is so assigned shall, as soon as possible, destroy such animal or cause such animal to be destroyed in his presence without unnecessary suffering, and any reasonable expense incurred in destroying the animal may be ordered by the court to be recovered from the owner as if it were a fine:

Provided that unless the owner assents thereto, no order shall be made under this section except upon the evidence of a veterinary officer in charge of the area.

(2) When any magistrate, commissioner of police or district superintendent of Police has reason to believe that an offence under section 11 has been committed in respect of any animal, he may direct the immediate destruction of the animal, if in his opinion, it would be cruel to keep the animal alive.

(3) Any police officer above the rank of a constable or any person authorised by the State Government in this

behalf who finds any animal so diseased or so severely injured or in such a physical condition that in his opinion it cannot be removed without cruelty, may, if the owner is absent or refuses his consent to the destruction of the animal, forthwith summon the veterinary officer in charge of the area in which the animal is found, and if the veterinary officer certifies that the animal is mortally injured or so severely injured or in such a physical condition that it would be cruel to keep it alive, the police officer or the person authorised, as the case may be, may, after obtaining orders from a magistrate, destroy the animal injured or cause it to be destroyed.

(4) No appeal shall lie from any order of a magistrate for the destruction of an animal.

CHAPTER IV

EXPERIMENTATION ON ANIMALS

14. *Experiments on animals.*—Nothing contained in this Act shall render unlawful the performance of experiments (including experiments involving operations) on animals for the purpose of advancement by new discovery of physiological knowledge or of knowledge which will be useful for saving or for prolonging life or alleviating suffering or for combating any disease, whether of human beings, animals or plants.

15. *Committee for control and supervision of experiments on animals.*—(1) If at any time, on the advice of the Board, the Central Government is of opinion that it is necessary so to do for the purpose of controlling and supervising experiments on animals, it may, by notification in the Official Gazette, constitute a Committee consisting of such number of officials and non-officials, as it may think fit to appoint thereto.

(2) The Central Government shall nominate one of the members of the Committee to be its Chairman.

(3) The Committee shall have power to regulate its own procedure in relation to the performance of its duties.

(4) The funds of the Committee shall consist of grants made to it from time to time by the Government and of contributions, donations, subscriptions, bequests, gifts and the like made to it by any person.

16. *Staff of the Committee.*—Subject to the control of the Central Government, the Committee may appoint such number of officers and other employees as may be necessary to enable it to exercise its powers and perform its duties, and may determine the remuneration and other terms and conditions of service of such officers and other employees.

17. *Duties of the Committee and power of the Committee to make rules relating to experiments on animals.*

(1) It shall be the duty of the Committee to take all such measures as may be necessary to ensure that animals are not subjected to unnecessary pain or suffering before, during or after the performance of experiments on them, and for that purpose it may, by notification in the Gazette of India and subject to the condition of previous publication, make such rules as it may think fit in relation to the conduct of such experiments.

(2) In particular, and without prejudice to the generality of the foregoing power, rules made by the Committee shall be designed to secure the following objects, namely:—

- (a) that in cases where experiments are performed in any institution, the responsibility therefore is placed on the person in charge of the institution

and that in cases where experiments are performed outside an institution by individuals, the individuals are qualified in that behalf and the experiments are performed on their full responsibility;

- (b) that experiments are performed with due care and humanity, and that as far as possible experiments involving operations are performed under the influence of some anaesthetic of sufficient power to prevent the animals feeling pain;
- (c) that animals which, in the course of experiments under the influence of anaesthetics are so injured that their recovery would involve serious suffering, are ordinarily destroyed while still insensible;
- (d) that experiments on animals are avoided wherever it is possible to do so: as for example, in medical schools, hospitals, colleges and the like, if other teaching devices such as books, models films and the like may equally suffice;
- (e) that experiments on larger animals are avoided when it is possible to achieve the same results by experiments upon small laboratory animals like guinea-pigs, rabbits, frogs and rats;
- (f) that, as far as possible, experiments are not performed merely for the purpose of acquiring manual skill;
- (g) that animals intended for the performance of experiments are properly looked after both before and after experiments;
- (h) that suitable records are maintained with respect to experiments performed on animals.

(3) In making any rules under this section, the Committee shall be guided by such directions as the Central Government (consistently with the objects for which the Committee is set up) may give to it, and the Central Government is hereby authorised to give such directions.

(4) All rules made by the Committee shall be binding on all individuals performing experiments outside institutions and on persons in charge of institutions in which experiments are performed.

18. Power of entry and inspection.—For the purpose of ensuring that the rules made by it are being complied with, the Committee may authorise any of its officers or any other person in writing to inspect any institution or place where experiments are being carried on and report to it as a result of such inspection, and any officer or person so authorised may—

- (a) enter at any time considered reasonable by him and inspect any institution or place in which experiments on animals are being carried on; and
- (b) require any person to produce any record kept by him with respect to experiments on animals.

19. Power to prohibit experiments on animals.—If the Committee is satisfied, on the report of any officer or other person made to it as a result of any inspection under section 18 or otherwise, that the rules made by it under section 17 are not being complied with by any person or institution carrying on experiments on animals, the Committee may, after giving an opportunity to the person or institution of being heard in the matter, by order, prohibit the person or institution from carrying on any such experiments either for a specified period or indefinitely, or may allow the person institution to carry on such experiments subject to such special conditions as the Committee may think fit to impose.

20. Penalties.—If any person—

- (a) contravenes any order made by the Committee under section 19; or

(b) commits a breach of any condition imposed by the Committee under that section;

he shall be punishable with fine which may extend to two hundred rupees, and, when the contravention or breach of condition has taken place in any institution, the person in charge of the institution shall be deemed to be guilty of the offence and shall be punishable accordingly.

CHAPTER V

PERFORMING ANIMALS

21. "Exhibit" and "train" defined.—In this Chapter, "exhibit" means exhibit at any entertainment to which the public are admitted through sale of tickets, and "train" means train for the purpose of any such exhibition, and the expressions "exhibitor" and "trainer" have respectively the corresponding meanings.

22. Restriction on exhibition and training of performing animals.—No person shall exhibit or train—

- (i) any performing animals unless he is registered in accordance with the provisions of this Chapter;
- (ii) as a performing animals, any animal which the Central Government may, by notification in the Official Gazette, specify as an animal which shall not be exhibited or trained as a performing animal.

23. Procedure for registration.—(1) Every person desirous of exhibiting or training any performing animal shall, on making an application in the prescribed form to the prescribed authority and on payment of the prescribed fee, be registered under this Act unless he is a person who, by reason of an order made by the Court under this Chapter, is not entitled to be so registered.

(2) An application for registration under this Chapter shall contain such particulars as to the animals and as to the general nature of the performances in which the animals are to be exhibited or for which they are to be trained as may be prescribed, and the particulars so given shall be entered in the register maintained by the prescribed authority.

(3) The prescribed authority shall give to every person whose name appears on the register kept by them, a certificate of registration in the prescribed form containing the particulars entered in the register.

(4) Every register kept under this Chapter shall at all reasonable times be open for inspection on payment of the prescribed fee, and any person shall, on payment of the prescribed fee, be entitled obtain copies thereof or make extracts therefrom.

(5) Any person whose name is entered in the register shall, subject to the provisions of any order made under this Act by any court, be entitled, on making an application for the purpose, to have the particulars entered in the register with respect to him varied, and where any such particulars are so varied, the existing certificate shall be cancelled and a new certificate issued.

24. Power of court to prohibit or restrict exhibition and training of performing animals.—(1) Where it is proved to the satisfaction of any magistrate on a complaint made by a police officer or an officer authorised in writing by the prescribed authority referred to in section 23, that the training or exhibition of any performing animal has been accompanied by unnecessary pain or suffering and should be prohibited or allowed only subject to conditions, the court may make an order against the person in respect of whom the complaint is made, prohibiting the training or exhibition or imposing such conditions in relation thereto, as may be specified by the order.

(2) Any court by which an order is made under this section shall cause a copy of the order to be sent, as soon as may be after the order is made, to the prescribed authority by which the person against whom the order is made is registered, and shall cause the particulars of the order to be endorsed upon the certificate held by that person, and that person shall produce his certificate on being so required by the court for the purposes of endorsement, and the prescribed authority to which a copy of an order is sent under this section shall enter the particulars of the order in that register.

25. Power to enter premises.—(1) Any person authorised in writing by the prescribed authority referred to in section 23 and any police officer not below the rank of a sub-inspector may

- (a) enter at all reasonable times and inspect any premises in which any performing animals are being trained or exhibited or kept for training or exhibition, and any such animals found therein; and
- (b) require any person who, he has reason to believe, is a trainer or exhibitor of performing animals to produce his certificate of registration.

(2) No person or police officer referred to in sub-section (1) shall be entitled under this section to go on or behind the stage during a public performance of performing animals.

26. Offences.— If any person—

- (a) not being registered under this Chapter, exhibits or trains any performing animal; or
- (b) being registered under this Act, exhibits or trains any performing animal with respect to which, or in a manner with respect to which, he is not registered; or
- (c) exhibits or trains as a performing animal, any animal which is not to be used for the purpose by reason of a notification issued under clause (ii) of section 22; or
- (d) obstructs or wilfully delays any person or police officer referred to in section 25 in the exercise of powers under this Act as to entry and inspection; or
- (e) conceals any animal with a view to avoiding such inspection; or
- (f) being a person registered under this Act, on being duly required in pursuance of this Act to produce his certificate under this Act, fails without reasonable excuse so to do; or
- (g) applies to be registered under this Act when not entitled to be so registered;

he shall be punishable on conviction with fine which may extend to five hundred rupees, or with imprisonment which may extend to three months, or with both.

27. Exemptions. Nothing contained in this Chapter shall apply to—

- (a) the training of animals for *bona fide* military or police purposes or the exhibition of any animals to trained; or
- (b) any animals kept in any zoological garden or by any society or association which has for its principal object the exhibition of animals for educational or scientific purposes.

CHAPTER VI

MISCELLANEOUS

28. Saving as respects manner of killing prescribed by religion. Nothing contained in this Act shall render it an offence to kill any animal in a manner required by the religion of any community.

29. Power of court to deprive person convicted of ownership of animal.—(1) If the owner of any animal is found guilty of any offence under this Act, the court, upon his conviction thereof, may, if it thinks fit, in addition to any other punishment, make an order that the animal with respect to which the offence was committed shall be forfeited to Government and may, further, make such order as to the disposal of the animal as it thinks fit under the circumstances.

(2) No order under sub-section (1) shall be made unless it is shown by evidence as to a previous conviction under this Act or as to the character of the owner or otherwise as to the treatment of the animal that the animal, if left with the owner, is likely to be exposed to further cruelty.

(3) Without prejudice to the provisions contained in sub-section (1), the court may also order that a person convicted of an offence under this Act shall, either permanently or during such period as is fixed by the order, be prohibited from having the custody of any animal of any kind whatsoever, or, as the court thinks fit, of any animal of any kind or species specified in the order.

(4) No order under sub-section (3) shall be made unless—

(a) it is shown by evidence as to a previous conviction or as to the character of the said person or otherwise as to the treatment of the animal in relation to which he has been convicted that an animal in the custody of the said person is likely to be exposed to cruelty;

(b) it is stated in the complaint upon which the conviction was made that it is the intention of the complainant upon the conviction of the accused to request that an order be made as aforesaid; and

(c) the offence for which the conviction was made was committed in an area in which under the law for the time being in force a licence is necessary for the keeping of any such animal as that in respect of which the conviction was made.

(5) Notwithstanding anything to the contrary contained in any law for the time being in force, any person in respect of whom an order is made under sub-section (3) shall have no right to the custody of any animal contrary to the provisions of the order, and if he contravenes the provisions of any order, he shall be punishable with fine which may extend to one hundred rupees, or with imprisonment for a term which may extend to three months, or with both.

(6) Any court which has made an order under sub-section (3) may at any time, either on its own motion or on application made to it in this behalf, rescind or modify such order.

30. Presumption as to guilt in certain cases.—If any person is charged with the offence of killing a goat, cow or its progeny contrary to the provisions of clause (1) of sub-section (1) of section 11, and it is proved that such person had in his possession, at the time the offence is alleged to have been committed, the skin of any such animal as is referred to in this section with any part of the skin of the head attached thereto, it shall be presumed until the contrary is proved that such animal was killed in a cruel manner.

31. Cognizability of offences.—Notwithstanding anything contained in the Code of Criminal Procedure, 1898, (5 of 1898) an offence punishable under clause (1), clause (n) or clause (o) of sub-section (1) of section 11 or under section 12 shall be a cognizable offence within the meaning of that Code.

32. Powers of search and seizure.—(1) If a police officer not below the rank of sub-inspector or any person authorised by the State Government in this behalf has reason to believe that an offence under clause (1) of sub-section (1) of section 11 in respect of any such animal as is referred to in section 30 is being, or is about to be, or has been, committed in any place, or that any person has in his possession the skin of any such animal with any part of skin of the head attached thereto, he may enter and search such place or any place in which he has reason to believe any such skin to be, and may seize such skin or any article or thing used or intended to be used in the commission of such offence.

(2) If a police officer not below the rank of sub-inspector, or any person authorised by the State Government in this behalf, has reason to believe that *phooka* or *doom dev* has just been, or is being performed on any animal within the limits of his jurisdiction, he may enter any place in which he has reason to believe such animals to be, and may seize the animal and produce it for examination by the veterinary officer in charge of the area in which the animal is seized.

33. Search warrants.—(1) If a magistrate of the first or second class or a presidency magistrate or a sub-divisional magistrate or a commissioner of police or district superintendent of police, upon information in writing, and after such inquiry as he thinks necessary, has reason to believe that an offence under this Act is being, or is about to be, or has been committed in any place, he may either himself enter and search or by his warrant authorise any police officer not below the rank of sub-inspector to enter and search the place.

(2) The provisions of the Code of Criminal Procedure, 1898 (5 of 1898), relating to searches shall, so far as those provisions can be made applicable, apply to searches under this Act.

34. General power of seizure for examination.—Any police officer above the rank of a constable or any person authorised by the State Government in this behalf, who has reason to believe that an offence against this Act has been or is being, committed in respect of any animal, may, if in his opinion the circumstances so require, seize the animal and produce the same for examination by the nearest magistrate or by such veterinary officer as may be prescribed, and such police officer or authorised person may, when seizing the animal, require the person in charge thereof to accompany it to the place examination.

35. Treatment and care of animals.—(1) The State Government may, by general or special order, appoint infirmaries for the treatment and care of animals in respect of which offences against this Act have been committed, and may authorise the detention therein of any animal pending its production before a magistrate.

(2) The magistrate before whom a prosecution for an offence against this Act has been instituted may direct that the animal concerned shall be treated and cared for in an infirmary, until it is fit to perform its usual work or is otherwise fit for discharge, or that it shall be sent to a *pinjrapole*, or, if the veterinary officer in charge of the area in which the animal is found or such other veterinary officer as may be authorised in this behalf by rules made under this Act certifies that it is incurable or cannot be removed without cruelty, that it shall be destroyed.

(3) An animal sent for care and treatment to an infirmary shall not, unless the magistrate directs that it shall be sent to a *pinjrapole* or that it shall be destroyed, be released from such place except upon a certificate of its fitness for discharge issued by the veterinary officer in charge of the area in which the infirmary is situated or such

other veterinary officer as may be authorised in this behalf by rules made under this Act.

(4) The cost of transporting the animal to an infirmary or *pinjrapole*, and of its maintenance and treatment in an infirmary, shall be payable by the owner of the animal in accordance with a scale of rates to be prescribed by the district magistrate, or, in presidency-towns, by the commissioner of police:

Provided that when the magistrate so orders on account of the poverty of the owner of the animal, no charge shall be payable for the treatment of the animal.

(5) Any amount payable by an owner of an animal under sub-section (4) may be recovered in the same as an arrear of land revenue.

(6) If the owner refuses or neglects to remove the animal within such time as a magistrate may specify, the magistrate may direct that the animal be sold and that the proceeds of the sale be applied to the payment of such cost.

(7) The surplus, if any, of the proceeds of such sale shall, on application made by the owner within two months from the date of the sale, be paid to him.

36. Limitation of prosecutions.—A prosecution for an offence against this Act shall not be instituted after the expiration of three months from the date of the commission of the offence.

37. Delegation of powers. The Central Government may, by notification in the Official Gazette, direct that all or any of the powers exercisable by it under this Act, may, subject to such conditions as it may think fit to impose, be also exercisable by any State Government.

38. Power to make rules.—(1) The Central Government may, by notification in the Official Gazette, and subject to the condition of previous publication, make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, the Central Government may make rules providing for all or any of the following matters, namely:—

- (a) the terms and conditions of service of members of the Board, the allowances payable to them and the manner in which they may exercise their powers and discharge their functions;
- (b) the maximum load (including any load occasioned by the weight of passengers) to be carried or drawn by any animal;
- (c) the conditions to be observed for preventing the overcrowding of animals;
- (d) the period during which, and the hours between which, any class of animals shall not be used for draught purposes;
- (e) prohibiting the use of any bit or harness involving cruelty to animals;
- (f) requiring persons carrying on the business of a farrier to be licensed and registered by such authority as may be prescribed and levying a fee for the purpose;
- (g) the precautions to be taken in the capture of animals for purposes of sale, export or for any other purpose, and the different appliances or devices that may alone be used for the purpose; and the licensing of such capture and the levying of fees for such licences;
- (h) the precautions to be taken in the transport of animals, whether by rail, road, inland waterway, sea or air and the manner in which and the cages or other receptacles in which they may be so transported;

(i) requiring persons owning or in charge of premises in which animals are kept or milked to register such premises, to comply with such conditions as may be laid down in relation to the boundary walls or surroundings of such premises, to permit their inspection for the purpose of ascertaining whether any offence under this Act is being, or has been, committed therein, and to expose in such premises copies of section 12 in a language or languages commonly understood in the locality;

(j) the form in which applications for registration under Chapter V may be made, the particulars to be contained therein the fees payable for such registration and the authorities to whom such applications may be made;

(k) the purposes to which fines realised under this Act may be applied, including such purposes as the maintenance of infirmaries, *pinjrapoles* and veterinary hospitals;

(l) any other matter which has to be, or may be, prescribed.

(3) If any person contravenes, or abets the contravention of, any rules made under this section, he shall be punishable with fine which may extend to one hundred rupees, or with imprisonment for a term which may extend to three months or with both.

(4) Every rule made by the Central Government under this section shall be laid as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule, or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

39. *Persons authorised under section 34 to be public servants.* Every person authorised by the State Government under section 34 shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code (45 of 1860).

40. *Indemnity.* No suit, prosecution or other legal proceeding shall lie against any person who is, or who is deemed to be, a public servant within the meaning of section 21 of the India Penal Code (45 of 1860), in respect of anything in good faith done or intended to be done under this Act.

41. *Repeal of Act 11 of 1890.* Where in pursuance of a notification under sub-section (3) of section 1 any provision of this Act comes into force in any State, any provision of the Prevention of Cruelty to Animals Act, 1890 (11 of 1890) which corresponds to the provision so coming into force, shall thereupon stand repealed.

Assented to on 26-12-60.

THE CHILDREN ACT, 1960 (ACT NO. 60 OF 1960)

AN
ACT

to Provide for the care, protection, maintenance, welfare, training, education and rehabilitation of neglected or delinquent children and for the trial of delinquent children in the Union territories.

BE it enacted by Parliament in the Eleventh Year of the republic of India as follows:—

CHAPTER I PRELIMINARY

1. *Short title, extent and commencement.*—(1) This Act may be called the Children Act, 1960.

(2) It extends to all the Union territories.

(3) It shall come into force in any Union territory on such date as the Administrator may, by notification in the Official Gazette, appoint and different dates may be appointed for different areas thereof.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) “Administrator” means the administrator of a Union territory, whether called a Lieutenant Governor, a Chief Commissioner or by any other name;

(b) “begging” means—

(i) soliciting or receiving alms in a public place or entering on any private premises for the purpose of soliciting or receiving alms, whether under the pretence of singing, dancing, for tune-telling, performing tricks or selling articles or otherwise;

(ii) exposing or exhibiting with the object of obtaining or extorting alms any sore, wound, injury, deformity or disease, whether of himself or of any other person or of an animal;

(iii) allowing oneself to be used as an exhibit for the purpose of soliciting or receiving alms;

(c) “Board” means a Child Welfare Board constituted under section 4;

(d) “brothel”, “prostitute”, “prostitution” and “public place” shall have the meanings respectively assigned to them in the Suppression of Immoral Traffic in Women and Girls Act, 1956 (104 of 1956);

(e) “child” means a boy who has not attained the age of sixteen years or a girl who has not attained the age of eighteen years;

(f) “children’s court” means a court constituted under section 5;

(g) “children’s home” means an institution established or certified by the Administrator under section 9 as a children’s home;

(h) “competent authority” means, in relation to neglected children, a Board constituted under section 4 and, in relation to delinquent children a children’s court constituted under section 5, and where no such Board or children’s court has been constituted, includes any court empowered under sub-section (h) of section 7 or exercise the powers conferred on a Board children’s court;

(i) “dangerous drug” shall have the meaning assigned to it in the Dangerous Drugs Act, 1930 (2 of 1930)

- (j) "delinquent child" means a child who has been found to have committed an offence;
- (k) "guardian" in relation to a child, includes any person who, in the opinion of the competent authority having cognizance of any proceeding in relation to a child, has, for the time being, the actual charge of, or control over, that child;
- (l) "neglected child" means a child who —
- (i) is found begging; or
 - (ii) is found without having any home or settled place of abode or any ostensible means of subsistence or is found destitute, whether he is an orphan or not; or
 - (iii) has a parent or guardian who is unfit to exercise or does not exercise proper care and control over the child; or
 - (iv) lives in a brothel or with a prostitute or frequently goes to any place used for the purpose of prostitution, or is found to associate with any prostitute or any other person who leads an immoral, drunken or depraved life;
- (m) "observation home" means any institution or place established or recognised by the Administrator under section 11 as an observation home;
- (n) "offence" means an offence punishable under any law for the time being in force;
- (o) "prescribed" means prescribed by rules made under this Act;
- (p) "probation officer" means an officer appointed as a probation officer under this Act or under the Probation of Offenders Act, 1958 (20 of 1958);
- (q) "special school" means an institution established or certified by the Administrator under section 10;
- (r) "supervision", in relation to a child placed under the care of any parent, guardian or other fit person under this Act, means the supervision of that child by a probation officer for the purpose of ensuring that the child is properly looked after and that the conditions imposed by the competent authority are complied with;
- (s) all words and expressions used but not defined in this Act and defined in the Code of Criminal Procedure, 1898 (5 of 1898), shall have the meanings assigned to them in that Code.

Continuation of inquiry in respect of child who has been found to be child.—Where an inquiry has been initiated against a child and during the course of such inquiry the child ceases to be such, then, notwithstanding anything contained in this Act or in any other law for the time being in force, the inquiry may be continued and orders may be made in respect of such person as if such person had continued to be a child.

CHAPTER II

COMPETENT AUTHORITIES AND INSTITUTIONS FOR CHILDREN

4. *Child Welfare Boards.*—(1) The Administrator may, by notification in the Official Gazette, constitute for any area specified in the notification, one or more Child Welfare Boards for exercising the powers and discharging the duties conferred or imposed on such Board in relation to neglected children under this Act.

(2) A Board shall consist of a chairman and such other members as the Administrator thinks fit to appoint, of whom not less than one shall be a woman; and every such member shall be vested with the powers of a magistrate under the Code of Criminal Procedure, 1898 (5 of 1898).

(3) The Board shall function as a Bench of magistrates and shall have the powers conferred by the Code of Criminal Procedure, 1898 (5 of 1898), on a magistrate of the first class.

5. *Children's courts.*—(1) Notwithstanding anything contained in the Code of Criminal Procedure, 1898, (5 of 1898), the Administrator may, by notification in the Official Gazette, constitute for any area specified in the notification, one or more children's courts for exercising the powers and discharging the duties conferred or imposed on such court in relation to delinquent children under this Act.

(2) A children's court shall consist of such number of magistrates forming a Bench as the Administrator thinks fit to appoint, of whom one shall be designated as the senior magistrate and not less than one shall be a woman; and every such Bench shall have the powers conferred by the Code of Criminal Procedure, 1898 (5 of 1898), on a magistrate of the first class.

6. *Procedure, etc., in relation to Boards and children's courts.*—(1) In the event of any difference of opinion among the members of a Board or among the magistrates of a children's court, the opinion of the majority shall prevail, but where there is no such majority, the opinion of the chairman or of the senior magistrate, as the case may be, shall prevail.

(2) A Board or children's court may act notwithstanding the absence of any member of the Board or, as the case may be, any magistrate of the children's court, and no order made by the Board or children's court shall be invalid by reason only of the absence of any member or magistrate, as the case may be, during any stage of the proceeding.

(3) No person shall be appointed as a member of the Board or as a magistrate in the children's court unless he has, in the opinion of the Administrator, special knowledge of child psychology and child welfare.

7. *Power of Board and children's court.*—(1) Where Board or a children's court has been constituted for any area, such Board or court shall, notwithstanding anything contained in any other law for the time being in force but save as otherwise expressly provided in this Act, have power to deal exclusively with all proceedings under this Act relating to neglected children or delinquent children, as the case may be.

(2) Where no Board or children's court has been constituted for any area, the powers conferred on the Board or the children's court by or under this Act shall be exercised in that area, only by the following, namely:—

- (a) the district magistrate; or
- (b) the sub-divisional magistrate; or
- (c) any magistrate of the first class.

(3) The powers conferred on the Board or children's court by or under this Act may also be exercised by the High Court and the court of session, when the proceeding comes before them in appeal, revision or otherwise.

8. *Procedure to be followed by a magistrate not empowered under the Act.*—(1) When any magistrate not empowered to exercise the powers of a Board or a children's court under this Act is of opinion that a person brought before him under any of the provisions of this Act (otherwise than for the purpose of giving evidence) is a child, he shall record such opinion and forward the child and the record of the proceeding to the competent authority having jurisdiction over the proceeding.

(2) The competent authority to which the proceeding is forwarded under sub-section (1) shall hold the inquiry as if the child had originally been brought before it.

9. *Children's homes.*—(1) The Administrator may establish and maintain as many children's homes as may be necessary for the reception of neglected children under this Act.

(2) Where the Administrator is of opinion that any institution other than an institution established under sub-section (1) is fit for the reception of the neglected children to be sent there under this Act, he may certify such institution as a children's home for the purposes of this Act.

(3) Every children's home to which a neglected child is sent under this Act shall not only provide the child with accommodation, maintenance and facilities for education, but also provide him with facilities for the development of his character and abilities and give him necessary training for protecting himself against moral dangers or exploitation and shall also perform such other functions as may be prescribed.

(4) The Administrator may, by rules made under this Act, provide for the management of children's homes and the circumstances under which, and the manner in which, the certificate of a children's home may be granted or withdrawn.

10. *Special schools.*—(1) The Administrator may establish and maintain as many special schools as may be necessary for the reception of delinquent children under this Act.

(2) Where the Administrator is of opinion that any institution other than an institution established under sub-section (1) is fit for the reception of the delinquent children to be sent there under this Act, he may certify such institution as a special school for the purposes of this Act.

(3) Every special school to which a delinquent child is sent under this Act shall not only provide the child with accommodation, maintenance and facilities for education but also provide him with facilities for the development of his character and abilities and give him necessary training for his reformation and shall also perform such other functions as may be prescribed.

(4) The Administrator may, by rules made under this Act, provide for the management of special schools and the circumstances under which, and the manner in which, the certificate of a special school may be granted or withdrawn.

11. *Observation homes.*—(1) The Administrator may establish and maintain as many observation homes as may be necessary for the temporary reception of children during the pendency of any inquiry regarding them under this Act.

(2) Where the Administrator is of opinion that any institution other than an institution established under sub-section (1) is fit for the temporary reception of children during the pendency of any inquiry regarding them under this Act, he may recognise such institution as an observation home for the purposes of this Act.

(3) Every observation home to which a child is sent under this Act shall not only provide the child with accommodation, maintenance and facilities for medical examination and treatment, but also provide him with facilities for useful occupation.

(4) The Administrator may, by rules made under this Act, provide for the management of observation homes and the circumstances under which, and the manner in which, an institution may be recognised as an observation home or the recognition may be withdrawn.

12. *After care organisations.*—(1) The Administrator

may, by rules made under this Act, provide for the establishment or recognition of after-care organisations and may vest them with such powers as may be necessary for effectively carrying out their functions under this Act.

(2) Every such organisation shall take care of the children when they leave children's homes or special schools and shall, for the purpose of enabling them to lead an honest, industrious and useful life, take all such measures as it may deem necessary or as may be prescribed.

CHAPTER III

NEGLECTED CHILDREN

13. *Production of neglected children before boards.*—

(1) If any police officer or any other person authorised by the Administrator in this behalf, by general or special order, is of opinion that a person is apparently a neglected child, such police officer or other person may take charge of that person for bringing him before a Board.

(2) When information is given to an officer-in-charge of a police station about any neglected child found within the limits of such station, he shall enter in a book to be kept for the purpose the substance of such information and take such action thereon as he deems fit and if such officer does not propose to take charge of the child, he shall forward a copy of the entry made to the Board.

(3) Every child taken charge of under sub-section (1) shall be brought before the Board within a period of twenty-four hours of such charge taken excluding the time necessary for the journey from the place where the child had been taken charge of to the Board.

(4) Every child taken charge of under sub-section (1) shall, unless he is kept with his parent or guardian, be sent to an observation home (but not to a police station or jail) until he can be brought before a Board.

14. *Special procedure to be followed when neglected child has parent.*—(1) If a person, who in the opinion of the police officer or the authorised person is a neglected child, has a parent or guardian who has the actual charge of or control over, the child, the police officer or the authorised person may, instead of taking charge of the child, make a report to the Board for initiating an inquiry regarding that child.

(2) On receipt of a report under sub-section (1), the Board may call upon the parent or guardian to produce the child before it and to show cause why the child should not be dealt with as a neglected child under the provisions of this Act and if it appears to the Board that the child is likely to be removed from its jurisdiction or to be concealed, it may immediately order his removal (if necessary by issuing a search warrant for the immediate production of the child) to an observation home.

15. *Inquiry by Board regarding neglected children.*—

(1) When a person alleged to be a neglected child is produced before a Board, it shall examine the police officer or the authorised person who brought the child or made the report and record the substance of such examination and hold the inquiry in the prescribed manner and may make such orders in relation to the child as it may deem fit.

(2) Where a Board is satisfied on inquiry that a child is a neglected child and that it is expedient so to deal with him, the Board may make an order directing the child to be sent to a children's home for the period until he ceases to be a child:

Provided that the Board may, for reasons to be recorded, extend the period of such stay, but in no case the

period of stay shall extend beyond the time when the child attains the age of eighteen years, in the case of a boy, or twenty years, in the case of a girl:

Provided further that the Board may, if it is satisfied that having regard to the circumstances of the case it is expedient so to do, for reasons to be recorded, reduce the period of stay to such period as it thinks fit.

(3) During the pendency of any inquiry regarding a child, the child shall, unless he is kept with his parent or guardian, be sent to an observation home for such period as may be specified in the order of the Board:

Provided that no child shall be kept with his parent or guardian if, in the opinion of the Board, such parent or guardian is unfit to exercise or does not exercise proper care and control over the child.

16. Power to commit neglected child to suitable custody.—

(1) If the Board so thinks fit, it may, instead of making an order under sub-section (2) of section 15 for sending the child to a children's home, make an order placing the child under the care of a parent, guardian or other fit person, on such parent, guardian or fit person executing a bond with or without surety to be responsible for the good behaviour and well-being of the child and for the observance of such conditions as the Board may think fit to impose.

(2) At the time of making an order under sub-section (1) or at any time subsequently, the Board may, in addition, make an order that the child be placed under supervision for any period not exceeding three years in the first instance.

(3) Notwithstanding anything contained in sub-section (1) or sub-section (2), if at any time it appears to the Board, on receiving a report from the probation officer or otherwise, that there has been a breach or any of the conditions imposed by it in respect of the child, it may, after making such inquiry as it deems fit, order the child to be sent to a children's home.

17. Uncontrollable children.—Where a parent or guardian of a child complains to the Board that he is not able to exercise proper care and control over the child and the Board is satisfied on inquiry that proceedings under this Act should be initiated regarding the child, it may send the child to an observation home and make such further inquiry as it may deem fit and the provisions of section 15 and section 16 shall, as far as may be, apply to such proceedings.

CHAPTER IV

DELINQUENT CHILDREN

18. Bail and custody of children.—(1) When any person accused of a bailable or non-bailable offence and apparently a child is arrested or detained or appears or is brought before a children's court, such person shall, notwithstanding anything contained in the Code of Criminal Procedure, 1898 (5 of 1898) or in any other law for the time being in force, be released on bail with or without surety but he shall not be so released if there appear reasonable grounds for believing that the release is likely to bring him into association with any reputed criminal or expose him to moral danger or that his release would defeat the ends of justice.

(2) When such person having been arrested is not released on bail under sub-section (1) by the officer-in-charge of the police station such officer shall cause him to be kept in an observation home in the prescribed manner (but not in a police station or jail) until he can be brought before a children's court.

(3) When such person is not released on bail under sub-section (1) by the children's court, it shall instead of committing him to prison, make an order sending him to an observation home for such period during the pendency of the inquiry regarding him as may be specified in the order.

19. Information to parent or guardian or probation officer.—Where a child is arrested, the officer-in-charge of the police station to which the child is brought shall, as soon as may be after the arrest, inform—

- (a) the parent or guardian of the child, if he can be found, of such arrest and direct him to be present at the children's court before which the child will appear; and
- (b) the probation officer of such arrest in order to enable him to obtain information regarding the antecedents and family history of the child and other material circumstances likely to be of assistance to the children's court for making the inquiry.

20. Inquiry by children's court regarding delinquent children.—Where a child having been charged with an offence appears or is produced before a children's court, the children's court shall hold the inquiry in accordance with the provisions of section 39 and may, subject to the provisions of this Act, make such order in relation to the child as it deems fit.

21. Orders that may be passed regarding delinquent children.—(1) Where a children's court is satisfied on inquiry that a child has committed an offence, then, notwithstanding anything to the contrary contained in any other law for the time being in force, the children's court may, if it so thinks fit, —

- (a) allow the child to go home after advice or admonition;
- (b) direct the child to be released on probation of good conduct and placed under the care of any parent, guardian or other fit person on such parent, guardian or other fit person executing a bond, with or without surety as that court may require, for the good behaviour and well-being of the child for any period not exceeding three years;
- (c) make an order directing the child to be sent to a special school.—
- (i) in the case of a boy over fourteen years of age or of a girl over sixteen years of age, for a period of not less than three years;
- (ii) in the case of any other child, for the period until he ceases to be a child;

Provided that the children's court may, if it is satisfied that having regard to the nature of the offence and the circumstances of the case it is expedient so to do, for reasons to be recorded, reduce the period of stay to such period as it thinks fit:

Provided further that the children's court may, for reasons to be recorded, extend the period of such stay, but in no case the period of stay shall extend beyond the time when the child attains the age of eighteen years, in the case of a boy, or twenty years, in the case of a girl:

- (d) order the child to pay a fine if he is over fourteen years of age and earns money.

(2) Where an order under clause (b) or clause (d) of sub-section (1) is made, the children's court may, if it is of opinion that in the interests of the child and of the public it is expedient so to do, in addition make an order that the delinquent child shall remain under the supervision of a probation officer named in the order during such

period, not exceeding three years, as may be specified therein, and may in such supervision order impose such conditions as it deems necessary for the due supervision of the delinquent child:

Provided that if at any time afterwards it appears to the children's court on receiving a report from the probation officer or otherwise, that the delinquent child has not been of good behaviour during the period of supervision, it may, after making such inquiry as it deems fit, order the delinquent child to be sent to a special school.

(3) The children's court making a supervision order under sub-section (2) shall explain to the child and the parent, guardian or other fit person, as the case may be, under whose care the child has been placed, the terms and conditions of the order and shall forthwith furnish one copy of the supervision order to the child, the parent, guardian or other fit person, as the case may be, the sureties, if any, and the probation officer.

(4) In determining the special school, or any person to whose custody a child is to be committed or entrusted under this Act, the court shall pay due regard to the religious denomination of the child to ensure that religious instruction contrary to the religious persuasion of the child is not imparted to him.

22. Orders that may not be passed against delinquent children. (1) Notwithstanding anything to the contrary contained in any other law for the time being in force, no delinquent child shall be sentenced to death or imprisonment, or committed to prison in default of payment of fine or in default of furnishing security:

Provided that where a child who has attained the age of fourteen years has committed an offence and the children's court is satisfied that the offence committed is of so serious a nature or that his conduct and behaviour have been such that it would not be in his interest or in the interest of other children in a special school to send him to such special school and that none of the other measures provided under this Act is suitable or sufficient, the children's court may order the delinquent child to be kept in safe custody in such place and manner as it thinks fit and shall report the case for the orders of the Administrator.

(2) On receipt of a report from a children's court under sub-section (1), the Administrator may make such arrangement in respect of the child as he deems proper and may order such delinquent child to be detained at such place and on such conditions as he thinks fit:

Provided that the period of detention so ordered shall not exceed the maximum period of imprisonment to which the child could have been sentenced for the offence committed.

23. Proceeding under Chapter VIII of the Criminal Procedure Code not competent against child.—Notwithstanding anything to the contrary contained in the Code of Criminal Procedure, 1898, (5 of 1898) no proceeding shall be instituted and no order shall be passed against a child under Chapter VIII of the said Code.

24. No joint trial of child and person not a child.—(1) Notwithstanding anything contained in section 239 of the Code of Criminal Procedure, 1898 (5 of 1898) or in any other law for the time being in force, no child shall be charged with or tried for, any offence together with a person who is not a child.

(2) If a child is accused of an offence for which under section 239 of the Code of Criminal Procedure, 1898 (5 of 1898) or any other law for the time being in force, such child and any person who is not a child would, but for prohibition contained in sub-section (1), have been

charged and tried together, the court taking cognizance of that offence shall direct separate trials of the child and the other person.

25. Removal of disqualification attaching to conviction.—Notwithstanding anything contained in any other law, a child who has committed an offence and has been dealt with under the provisions of this Act shall not suffer disqualification, if any, attaching to a conviction of an offence under such law.

26. Special provision in respect of pending cases.—Notwithstanding anything contained in this Act, all proceedings in respect of a child pending in any court in any area on the date on which this Act comes into force in that area, shall be continued in that court as if this Act had not been passed and if the court finds that the child has committed an offence, it shall record such finding and, instead of passing any sentence in respect of the child, forward the child to the children's court which shall pass orders in respect of that child in accordance with the provisions of this Act as if it had been satisfied on inquiry under this Act that the child has committed the offence.

CHAPTER V

PROCEDURE OF COMPETENT AUTHORITIES GENERALLY AND APPEALS AND REVISION FROM ORDERS OF SUCH COURTS

27. Sittings, etc., of Boards and children's courts.—(1) A Board or a children's court shall hold its sittings at such place, on such day and in such manner, as may be prescribed.

(2) A magistrate empowered to exercise the powers of a Board or, as the case may be, a children's court under sub-section (2) of section 7 shall, while holding any inquiry regarding a child under this Act, as far as practicable, sit in a building or room different from that in which the ordinary sittings of civil and criminal courts are held, or on different days or at times different from those at which the ordinary sittings of such courts are held.

28. Persons who may be present before competent authority.—(1) Save as provided in this Act, no person shall be present at any sitting of a competent authority, except—

- (a) any officer of the competent authority, or
- (b) the parties to the inquiry before the competent authority, the parent or guardian of the child and other persons directly concerned in the inquiry including police officers, and
- (c) such other persons as the competent authority may permit to be present.

(2) Notwithstanding anything contained in sub-section (1), if at any stage during an inquiry, a competent authority considers it to be expedient in the interest of the child or on grounds of decency or morality that any person including the police officers, legal practitioners, the parent, guardian or the child himself should withdraw, the competent authority may give such direction, and if any person refuses to comply with such direction, the competent authority may have him removed and may, for this purpose, cause to be used such force as may be necessary.

(3) No legal practitioner shall be entitled to appear before a competent authority in any case or proceeding before it, except with the special permission of that authority.

29. Attendance of parent or guardian of child.—Any competent authority before which a child is brought under any of the provisions of this Act may, whenever it so thinks fit, require any parent or guardian having the actual charge of, or control over, the child to be present

at any proceeding in respect of the child.

30. Dispensing with attendance of child.—If, at any stage during the course of an inquiry, a competent authority is satisfied that the attendance of the child is not essential for the purpose of the inquiry, the competent authority may dispense with his attendance and proceed with the inquiry in the absence of the child.

31. Committal to approved place of child suffering from dangerous disease and its future disposal.—(1) When a child who has been brought before a competent authority under this Act is found to be suffering from a disease requiring prolonged medical treatment or physical or mental complaint that will respond to treatment, the competent authority may send the child to any place recognised to be an approved place in accordance with the rules made under this Act for such period as it may think necessary for the required treatment.

(2) Where a child is found to be suffering from leprosy or is of unsound mind, he shall be dealt with under the provisions of the Lepers Act, 1898 (3 of 1898), or the Indian Lunacy Act, 1912, (4 of 1912), as the case may be.

(3) Where a competent authority has taken action under sub-section (1) in the case of a child suffering from an infectious or contagious disease, the competent authority before restoring the said child to his partner in marriage, if there has been such, or to the guardian, as the case may be, shall where it is satisfied that such action will be in the interest of the said child call upon his partner in marriage or the guardian, as the case may be, to satisfy the court by submitting to medical examination that such partner or guardian will not re-infect the child in respect of whom the order has been passed.

32. Presumption and determination of age.—(1) Where it appears to a competent authority that a person brought before it under any of the provisions of this Act (otherwise than for the purpose of giving evidence) is a child, the competent authority shall make due inquiry as to the age of that person and for that purpose shall take such evidence as may be necessary and shall record a finding whether the person is a child or not, stating his age as nearly as may be.

(2) No order of a competent authority shall be deemed to have become invalid merely by any subsequent proof that the person in respect of whom the order has been made is not a child, and the age recorded by the competent authority to be the age of the person so brought before it shall, for the purposes of this Act, be deemed to be the true age of that person.

33. Circumstances to be taken into consideration in making orders under the Act.—In making any order in respect of a child under this Act, a competent authority shall take into consideration the following circumstances, namely:—

- (a) the age of the child;
- (b) the circumstances in which the child is living;
- (c) the reports made by the probation officer;
- (d) the religious persuasion of the child;
- (e) such other circumstances as may, in the opinion of the competent authority, require to be taken into consideration in the interests of the child;

Provided that in the case of a delinquent child, the above circumstances shall be taken into consideration after the children's court has recorded a finding against the child that he has committed the offence:

Provided further that if no report of the probation officer is received within ten weeks of his being informed under section 19, it shall be open to the children's court to proceed without it.

34. Sending a child outside jurisdiction.—In the case of a neglected or delinquent child whose ordinary place of residence lies outside the jurisdiction of the competent authority before which he is brought, the competent authority may, if satisfied after due inquiry that it is expedient so to do, send the child back to a relative or other person who is fit and willing to receive him at his ordinary place of residence and exercise proper care and control over him, notwithstanding that such place of residence is outside the jurisdiction of the competent authority; and the competent authority exercising jurisdiction over the place to which the child is sent shall in respect of any matter arising subsequently have the same powers in relation to the child as if the original order had been passed by itself.

35. Reports to be treated as confidential.—The report of the probation officer or any circumstance considered by the competent authority under section 33 shall be treated as confidential:

Provided that the competent authority may, if it so thinks fit, communicate the substance thereof to the child or his parent or guardian and may give such child, parent or guardian an opportunity of producing such evidence as may be relevant to the matter stated in the report.

36. Prohibition of publication of names, etc., of children involved in any proceeding under the Act. (1) No report in any newspaper, magazine or news sheet of any inquiry regarding a child under this Act shall disclose the name, address or school or any other particulars calculated to lead to the identification of the child, nor shall any picture of any such child be published:

Provided that for reasons to be recorded in writing, the authority holding the inquiry may permit such disclosure, if in its opinion such disclosure is in the interest of the child.

(2) Any person contravening the provisions of sub-section (1) shall be punishable with fine which may extend to one thousand rupees.

37. Appeals.—(1) Subject to the provisions of this section, any person aggrieved by an order made by a competent authority under this Act may, within thirty days from the date of such order, prefer an appeal to the court of session:

Provided that the court of session may entertain the appeal after the expiry of the said period of thirty days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) No appeal shall lie from—

- (a) any order of acquittal made by the children's court in respect of a child alleged to have committed an offence; or
- (b) any order made by a Board in respect of a finding that a person is not a neglected child.

(3) No second appeal shall lie from any order of the court of session passed in appeal under this section.

38. Revision.—The High Court may, at any time, either of its own motion or on an application received in this behalf, call for the record of any proceeding in which any competent authority or court of session has passed an order for the purpose of satisfying itself as to the legality or propriety of any such order and may pass such order in relation thereto as it thinks fit:

Provided that the High Court shall not pass an order under this section prejudicial to any person without giving him a reasonable opportunity of being heard.

39. Procedure in inquiries, appeals and revision proceedings.—(1) Save as otherwise expressly provided by this Act, a competent authority while holding any inquiry

under any of the provisions of this Act, shall follow such procedure as may be prescribed and subject thereto, shall follow, as far as may be, the procedure laid down in the Code of Criminal Procedure, 1898 (5 of 1898), for trials in summons cases.

(2) Save as otherwise expressly provided by or under this Act, the procedure to be followed in hearing appeal or revision proceedings under this Act shall be, as far as practicable, in accordance with the provisions of the Code of Criminal Procedure, 1898 (5 of 1898).

40. Power to amend orders.—(1) Without prejudice to the provisions for appeal and revision under this Act, any competent authority may, either on its own motion or on an application received in this behalf, amend any order as to the order as to the institution to which a child is to be sent or as to the person under whose care or supervision a child is to be placed under this Act.

(2) Clerical mistakes in orders passed by a competent authority or errors arising therein from any accidental slip or omission may, at any time, be corrected by the competent authority either on its own motion or on an application received in this behalf.

CHAPTER VI

SPECIAL OFFENCES IN RESPECT OF CHILDREN

41. Punishment for cruelty to child.—(1) Whoever, having the actual charge of, or control over, a child, assaults, abandons, exposes or wilfully neglects the child or causes or procures him to be assaulted, abandoned, exposed or neglected in a manner likely to cause such child unnecessary mental and physical suffering shall be punishable with imprisonment for a term which may extend to six months, or with fine, or with both.

(2) No court shall take cognizance of an offence punishable under sub-section (1) unless the complaint is filed with the previous sanction of the Administrator or an officer authorised by him in this behalf.

42. Employment of children for begging.—(1) Whoever employs or uses any child for the purposes of begging or causes any child to beg shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.

(2) Whoever, having the actual charge of, or control over, a child, abets the commission of the offence punishable under sub-section (1) shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.

(3) The offence punishable under this section shall be cognizable.

43. Penalty for giving intoxicating liquor or dangerous drug to a child. Whoever gives, or causes to be given to any child any intoxicating liquor in a public place or any dangerous drug, except upon the order of a duly qualified medical practitioner or in case of sickness or other urgent cause, shall be punishable with fine which may extend to two hundred rupees.

44. Exploitation of child employees. Whoever ostensibly procures a child for the purpose of any employment and withholds the earnings of the child or uses such earnings for his own purposes shall be punishable with fine which may extend to one thousand rupees.

CHAPTER VII

MISCELLANEOUS

45. Power of Administrator to discharge and transfer children.—(1) The Administrator may, notwithstanding anything contained in this Act, at any time order a

neglected or delinquent child to be discharged from the children's home or special school, either absolutely or on such conditions as he may think fit to impose.

(2) The Administrator may, notwithstanding anything contained in this Act, order—

- (a) a neglected child to be transferred from one children's home to another;
- (b) a delinquent child to be transferred from one special school to another or from a special school to a borstal school where such school exists or from a special school to a children's home;
- (c) a child who has been released on licence which has been revoked or forfeited, to be sent to the special school or children's home from which he was released or to any other children's home or special school or borstal school;

Provided that the total period of the stay of the child in a children's home or a special school shall not be increased by such transfer.

(3) The Administrator may, notwithstanding anything contained in this Act, at any time, discharge a child from the care of any person under whom he was placed under this Act either absolutely or on such conditions as the Administrator may think fit to impose.

46. Transfers between children's homes, etc., under the Act, and children's homes, etc., of like nature in different parts of India.—(1) The Administrator of a Union territory may direct any neglected child or delinquent child to be transferred from any children's home or special school within the Union territory to any other children's home, special school or institution of a like nature in any other State with the consent of the Government of that State.

(2) The Administrator of a Union territory may, by general or special order, provide for the reception in a children's home or special school within the Union territory of a neglected child or delinquent child detained in a children's home or special school or institution of a like nature in any other State where the Government of that State makes an order for such transfer, and upon such transfer the provisions of this Act, shall apply to such child as if he had been originally ordered to be sent to such children's home or special school under this Act.

47. Transfer of children of unsound mind or suffering from leprosy.—(1) Where it appears to the Administrator that any child kept in a special school or children's home in pursuance of this Act is suffering from leprosy or is of unsound mind, the Administrator may order his removal to a leper asylum or mental hospital or other place of safe custody for being kept there for the remainder of the term for which he has to be kept in custody under the orders of the competent authority or for such further period as may be certified by a medical officer to be necessary for the proper treatment of the child.

(2) Where it appears to the Administrator that the child is cured of leprosy or of unsoundness of mind, he may, if the child is still liable to be kept in custody, order the person having charge of the child to send him to the special school or children's home from which he was removed or, if the child is no longer liable to be kept in custody, order him to be discharged.

48. Placing out on licence.—(1) When a child is kept in a children's home or special school, the Administrator may, if he so thinks fit, release the child from the children's home or special school and grant him a written licence for such period and on such conditions as may be specified in the licence permitting him to live with, or under the supervision of, any responsible person named in the

licence willing to receive and take charge of him with a view to educate him and train him for some useful trade or calling.

(2) Any licence so granted under sub-section (1) shall be in force for the period specified in the licence or until revoked or forfeited by the breach of any of the conditions on which it was granted.

(3) The Administrator may, at any time, by order in writing revoke any such licence and order the child to return to the children's home or special school from which he was released or to any other children's home or special school, and shall do so at the desire of the person with whom or under whose supervision the child has been permitted to live in accordance with a licence granted under sub-section (1).

(4) When a licence has been revoked or forfeited and the child refuses or fails to return to the special school or children's home to which he was directed so to return, the Administrator may, if necessary, cause him to be taken charge of and to be taken back to the special school or children's home.

(5) The time during which a child is absent from a special school or children's home in pursuance of a licence granted under this section shall be deemed to be part of the time for which he is liable to be kept in custody in the special school or children's home:

Provided that when a child has failed to return to the special school or children's home on the licence being revoked or forfeited, the time which elapses after his failure so to return shall be excluded in computing the time during which he is liable to be kept in custody.

49. Provisions in respect of escaped children.—Notwithstanding anything to the contrary contained in any other law for the time being in force, any police officer may take charge without warrant of a child who has escaped from a special school or a children's home or from the care of a person under whom he was placed under this Act and shall send the child back to the special school or the children's home or that person, as the case may be; and no proceeding shall be instituted in respect of the child by reason of such escape but the special school, children's home or the person may, after giving the information to the competent authority which passed the order in respect of the child, take such steps against the child as may be deemed necessary.

50. Contribution by parents.—(1) The competent authority which makes an order for sending a neglected child or a delinquent child to a children's home or a special school or placing the child under the care of a fit person may make an order requiring the parent or other person liable to maintain the child to contribute to his maintenance, if able to do so, in the prescribed manner.

(2) The competent authority before making any order under sub-section (1) shall inquire into the circumstances of the parent or other person liable to maintain the child and shall record evidence, if any, in the presence of the parent or such other person, as the case may be.

(3) The person liable to maintain a child shall, for the purposes of sub-section (1), include in the case of illegitimacy, his putative father:

Provided that where the child is illegitimate and an order for his maintenance has been made under section 488 of the Code of Criminal Procedure, 1898 (5 of 1898), the competent authority shall not ordinarily make an order for contribution against the putative father, but may order the whole or any part of the sums accruing due under the said order for maintenance to be paid to such person as may be named by the competent authority and

such sum shall be paid by him towards the maintenance of the child.

(4) Any order made under this section may be enforced in the same manner as an order under section 488 of the Code of Criminal Procedure, 1898 (5 of 1898).

51. Control of custodian over child.—Any person in whose custody a child is placed in pursuance of this Act shall, while the order is in force, have the like control over the child as he would have if he were his parent, and shall be responsible for his maintenance, and the child shall continue in this custody for the period stated by the competent authority, notwithstanding that he is claimed by his parent or any other person:

Provided that no child while in such custody shall be married except with the permission of the competent authority.

52. Delinquent child undergoing sentence at commencement of the Act.—In any area in which this Act is brought into force, the Administrator may direct that a delinquent child who is undergoing any sentence of imprisonment at the commencement of this Act shall, in lieu of undergoing such sentence, be sent to a special school or be kept in safe custody in such place and manner as the Administrator thinks fit, for the remainder of the period of the sentence; and the provisions of this Act shall apply to the child as if he had been ordered by a children's court to be sent to such special school or, as the case may be, ordered to be detained under sub-section (2) of section 22.

53. Appointment of officers.—(1) The Administrator may, appoint as many probation officers, officers for the inspection of special schools, children's homes, observation homes or after-care organisations and such other officers as he may deem necessary for carrying out the purposes of this Act.

(2) It shall be the duty of the probation officer—

- (a) to inquire, in accordance with the direction of a competent authority, into the antecedents and family history of any child accused of an offence, with a view to assist the authority in making the inquiry;
- (b) to visit neglected and delinquent children at such intervals as the probation officer may think fit;
- (c) to report to the competent authority as to the behaviour of any neglected or delinquent child;
- (d) to advise and assist neglected or delinquent children and, if necessary, endeavour to find them suitable employment;
- (e) where a neglected or delinquent child is placed under the care of any person on certain conditions, to see whether such conditions are being complied with; and
- (f) to perform such other duties as may be prescribed.

(3) Any officer empowered in this behalf by the Administrator may enter any special school, children's home, observation home or after-care organisation and make a complete inspection thereof in all its departments and of all papers, registers and accounts relating thereto and shall submit the report of such inspection to the Administrator.

54. Officers appointed under the Act to be public servants.—Probation Officers and other officers appointed in pursuance of this Act shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860).

55. Procedure in respect of bonds.—The provisions of Chapter XLII of the Code of Criminal Procedure, 1898

(5 of 1898), shall, as far as may be, apply to bonds taken under this Act.

56. Delegation of powers.—The Administrator may, by general or special order, direct that any power exercisable by him under this Act shall, on such circumstances and under such conditions, if any, as may be specified in the order, be exercisable also by an officer subordinate to the Administrator.

57. Protection of action taken in good faith.—No suit or other legal proceeding shall lie against the Administrator or any probation officer or other officer appointed under this Act in respect of anything which is in good faith done or intended to be done in pursuance of this Act or of any rules or orders made thereunder.

58. Act 8 of 1897 and certain provisions of Act 5 of 1898 not to apply.—(1) The Reformatory Schools Act, 1897 (8 of 1897), and section 29B and section 399 of the Code of Criminal Procedure, 1898 (5 of 1898), shall cease to apply to any area in which this Act has been brought into force.

(2) The Women's and Children's Institutions (Licensing) Act, 1956 (105 of 1956), shall not apply to any children's home, special school or observation home established and maintained under this Act.

59. Power to make rules.—(1) The Administrator may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the places at which, the days on which, the time at which, and the manner in which, a competent authority may hold its sittings;
- (b) the procedure to be followed by a competent authority in holding inquiries under this Act; and the mode of dealing with children suffering from dangerous diseases or mental complaints;
- (c) the circumstances in which, and the conditions subject to which, an institution may be certified as a special school or a children's home or recognised as an observation home and the certification or recognition withdrawn;
- (d) the internal management of special schools, children's home and observation homes;
- (e) the functions and responsibilities of special schools, children's homes and observation homes;
- (f) the inspection of special schools, children's homes, observation homes and after-care organisations;
- (g) the establishment, management and functions of after-care organisations; the circumstances in which, and the conditions subject to which an institution may be recognised as an after-care organisation;
- (h) the qualifications and duties of probation officers;
- (i) the recruitment and training of persons appointed to carry out the purposes of this Act and the terms and conditions of their service;
- (j) the conditions subject to which a girl who is a neglected or delinquent child may be escorted from one place to another, and the manner in which a child may be sent outside the jurisdiction of a competent authority;
- (k) the manner in which contribution for the maintenance of a child may be ordered to be paid by a parent or guardian;
- (l) the conditions under which a child may be placed out on licence and the form and conditions of such licence;

(m) the conditions subject to which children may be placed under the care of any parent, guardian or other fit person under this Act and the obligations of such persons towards the children so placed;

(n) any other matter which has to be, or may be, prescribed.

(3) Every rule made under this section shall be laid as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rules should not be made, the rule shall there after have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

60. Repeal and savings.—If, immediately before the date on which this Act comes into force in any area, there is in force in that area, any law corresponding to this Act, that law shall stand repealed on the said date.

Provided that the repeal shall not affect—

- (a) the previous operation of any law so repealed or anything duly done or suffered thereunder; or
 - (b) any right, privilege, obligation or liability acquired, accrued or incurred under any law so repealed; or
 - (c) any penalty, forfeiture or punishment incurred in respect of any offence committed against any law so repealed; or
 - (d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid;
- and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed, as if this Act had not been passed.

Simla-4, the 15th September, 1961

No. 1-7/60-LR.—The Following Acts recently passed by the Parliament of India and published in the Gazette of India Extraordinary part II section I, dated 29th August, 1961 are hereby republished in the Himachal Pradesh Administration Rajpatra for the information of general public.

The Delhi (Urban Areas) Tenants' Relief Act, 1961 (No. 30 of 1961).

S. R. MAHANTAN,
Under Secretary (Judicial).

Assented to on 28-8-61.

THE DELHI (URBAN AREAS) TENANTS' RELIEF ACT, 1961

(ACT No. 30 OF 1961)

AN
ACT

to provide relief to the tenants of land in the urban areas of the Union territory of Delhi.

BE it enacted by Parliament in the Twelfth Year of the Republic of India as follows:—

1. Short title, extent and commencement.—(1) This Act may be called the Delhi (Urban Areas) Tenants' Relief Act, 1961.

(2) It extends to the areas in the Union territory of Delhi which, immediately before the 1st day of November, 1956, were included in a municipality or in a notified area under the provisions of the Punjab Municipal Act, 1911 (Punjab Act 3 of 1911), or in a cantonment under the provisions of the Cantonments Act, 1924 (2 of 1924), but shall not apply to the areas owned by the Central Government or the Delhi Development Authority constituted under the Delhi Development Act, 1957 (61 of 1957), or any local authority.

(3) It shall come into force on such date as the Chief Commissioner may, by notification in the Official Gazette appoint.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) “Chief Commissioner” means the Chief Commissioner of Delhi;

(b) “family” means—

(i) in relation to a person belonging to a joint Hindu family, every member of such family; and

(ii) in relation to any other person, the person, the wife or husband, as the case may be, and the dependent children and grand-children, of such person;

(c) “land-holder” means a person under whom a tenant holds land and to whom the tenant is, or but for a special contract would be, liable to pay rent for the land;

(d) “person under disability” means—

(i) a widow;

(ii) a minor whose father has died;

(iii) a woman who is unmarried or who, if married, is divorced or judicially separated from her husband or whose husband is a person falling under item (iv) or (v);

(iv) a member of the Armed Forces of the Union;

(v) a person incapable of cultivating land by reason of some physical or mental disability;

(vi) a person prosecuting studies in a recognised institution and not exceeding 25 years of age; or

(vii) a person who is under detention or undergoing imprisonment;

(e) “tenant” and “tenancy” include a sub-tenant and a sub-tenancy respectively;

(f) the words “land” and “tenant” and all other words and expressions used but not defined in this Act and defined in the Punjab Tenancy Act, 1887 (16 of 1887), or the Agra Tenancy Act, 1901 (U.P. Act II of 1901), shall have the meanings respectively assigned to them,—

(i) in relation to areas to which the Punjab Tenancy Act, 1887 applies, in that Act; or

(ii) in relation to areas to which the Agra Tenancy Act, 1901 applies, in that Act.

3. *Grounds of ejectment of tenant.*—(1) After the commencement of this Act, no person shall be liable to be ejected from any land held by him as tenant except on one or more of the following grounds, namely:—

(a) that a decree for arrear of rent due in respect of the land remains unsatisfied after the expiry of the period allowed therefor;

(b) where rent is payable in kind, that he has without sufficient cause failed to cultivate the land;

(c) that he has sub-let or otherwise transferred to the whole or any part of the tenancy in contravention of any law for the time being in force or of any contract;

(d) that he has used the land in a manner which renders it unfit for the purpose for which it was let.

(2) Without prejudice to the provisions of sub-section (1) but subject to the provisions of any law for the time being in force or of any contract between the parties, a tenant may be ejected from the land held by him by a land-holder,—

(a) in any case where the land-holder is a religious or charitable institution, on the ground that the institution requires the land *bona fide* for use for a non-agricultural purpose in furtherance of its objects; and

(b) in any case where the land-holder was a person under disability at the commencement of the tenancy, on the ground that he requires the land *bona fide* for cultivation by himself or for building a dwelling house, a cattle shed or business premises for use by himself or any member of his family and the proceeding for ejectment is instituted during the period when he is under disability or within two years from the date when he ceases or has ceased to be under disability;

Provided that no proceeding shall lie under this sub-section in respect of any share of land unless the share has first been partitioned by metes and bounds.

Explanation.—For the purposes of this section, the disability of a person shall cease.—

(a) in the case of a widow, if she re-marries, on the date of her re-marriage or if any person succeeds to the widow on her death, on the date of her death;

(b) in the case of a minor, on the date of his attaining majority;

(c) in the case of a woman who is unmarried or who is divorced or judicially separated from her husband, on the date of her marriage or re-marriage, as the case may be, or in the case of a woman whose husband is a person falling under clause (d) or (e), on the date on which the disability of the husband ceases;

(d) in the case of a person who is a member of the Armed Forces of the Union, on the date of his discharge from service or of his posting to the reserve;

(e) in the case of a person suffering from a physical or mental disability on the date on which the disability ceases to exist;

(f) in the case of a person who is prosecuting studies in a recognised institution, on the date when he ceases to prosecute studies in that or any other recognised institution;

(g) in the case of a person under detention or undergoing imprisonment, on the date when he is released from detention or imprisonment.

4. *Abatement of proceedings.*—Save as provided in section 3, no tenant of land shall, whether in execution of a decree or order of a court or otherwise, be ejected from the land, and if there is any proceeding for ejectment of such tenant pending immediately before the commencement of this Act and the proceeding could not have been instituted had this Act been in force at the time of the institution of such proceeding, then, notwithstanding anything contained in any law, such proceeding shall, on such commencement, abate.

5. *Restoration of land to tenant in certain cases.* (1) Where, after the commencement of this Act, a person under disability or a religious or charitable institution has taken possession of land by ejecting the tenant therefrom under sub-section (2) of section 3 on the ground that the land is required for a purpose specified in that sub-section

and such person or institution fails to use the land for that purpose within one year from the date on which such person or institution took possession thereof, the tenant shall be entitled to be restored to possession of the land from which he was ejected, on the same terms on which he held it at the time of ejection.

(2) Where, on or after the 1st July, 1958 and before the commencement of this Act, any tenant of land has been ejected from the land and the ejection could not have taken place if this Act had been in force on the date of such ejection, the officer specified in this behalf by the Chief Commissioner may, either on his own motion or on application made by the tenant, restore him to possession of the land from which he has been ejected, on the same terms on which he held it at the time of ejection.

(3) Nothing in this section shall be construed as entitling a tenant to be restored to possession of any land if it is under cultivation by the owner who is a person under disability or has, on or before the 28th day of March, 1961, ceased to be used for agricultural purposes.

6. *Rent.* The rent payable by a tenant in respect of land held by him as such shall not exceed one-fifth of the produce of the land or the money equivalent thereof, or where a lower rent is agreed upon between him and the land-holder, the agreed rent.

7. *Act to override contracts, etc.*—The provisions of this Act shall, save as otherwise expressly provided, have effect notwithstanding anything to the contrary contained in any other law, custom or usage or agreement or decree or order of court.

8. *Power to make rules.*—(1) The Chief Commissioner may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this section shall be laid as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

9. *Repeal.*—(1) The provisions of the Punjab Tenancy Act, 1887 (16 of 1887), and the Agra Tenancy Act, 1901 (U.P. Act II of 1901), and the Punjab Tenants (Security of Tenure) Act, 1950 (Punjab XXII 1950), as applicable to the areas to which this Act extends, which of are inconsistent with the provisions of this Act are hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in exercise of any power conferred by or under any of the provisions so repealed, to the extent to which it is not consistent with the provisions of this Act, shall be deemed to have been done or taken in exercise of the powers conferred by this Act as if this Act was in force on the date on which such thing was done or such action was taken.

Simla-4, the 27th September, 1961

No. 1-7/60-L.R. The following Acts recently passed by the Parliament of India and published in the Gazette of India extraordinary part II section I, dated 29th August, 4th and 6th September, 1961 respectively are hereby republished in the Himachal Pradesh Administration

Rajpatra for the information of general public.

1. The Union Territories (Stamp and Court-fees Laws) Act, 1961 (No. 33 of 1961).
2. The Dadra and Nagar Haveli Act, 1961 (No. 35 of 1961).
3. The Newspaper (Price and Page) Continuance Act, 1961 (No. 36 of 1961).

S. R. MAHANTAN,
Under Secretary (Judicial).

Assented to on 29-8-61

THE UNION TERRITORIES (STAMP AND COURT-FEES LAWS) ACT, 1961
(ACT No. 33 OF 1961)

AN
ACT

to provide for the amendment and repeal of certain laws relating to stamp duties and court-fees as in force in certain Union territories.

BE it enacted by Parliament in the Twelfth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Union Territories (Stamp and Court-fees Laws) Act, 1961.

2. *Amendment of Indian Stamp Act, 1899, as in force in Himachal Pradesh.*—On such date as the Central Government may, by notification of the Official Gazette, appoint, for Schedule I-A of the Indian Stamp Act, 1899 (2 of 1899), as in force in the Union territory of Himachal Pradesh immediately before that date, there shall be substituted, with such modifications as may be specified in the notification, Schedule I-A to the Indian Stamp Act 1899, as in force in the State of Punjab on the 28th day of November, 1960.

3. *Repeal of Court-fees Act, 1870, as in force in Himachal Pradesh.*—On the date on which the Court-fees Act, 1870 (7 of 1870), as in force in the State of Punjab, is extended to the Union territory of Himachal Pradesh by notification under section 2 of the Union Territories (Laws) Act, 1950 (30 of 1950), the Court-fees Act, 1870, as in force on that Union territory immediately before the date of such notification, shall stand repealed.

4. *Repeal of Court-fees Act, 1870, as in force in Manipur and Tripura.*—(a) On the date on which the Court-fees Act, 1870 (7 of 1870), as in force in the State of Assam, is extended to the Union territory of Manipur by notification under section 2 of the Union Territories (Laws) Act, 1950 (30 of 1950), the Court-fees Act, 1870, as in force in that Union territory immediately before the date of such notification, shall stand repealed.

(b) On the date on which the Court-fees Act, 1870 as in force in the State of Assam, is extended to the Union territory of Tripura by notification under section 2 of the Union territories (Laws) Act, 1950, the Court-fees Act, 1870, as in force in that Union territory immediately before the date of such notification, shall stand repealed.

5. *Repeal of Indian Stamp Act, 1899 as in force in Manipur and Tripura.*—(a) On the date on which the Indian Stamp Act, 1899 (2 of 1899) as in force in the State of Assam, is extended to the Union territory of Manipur by notification under section 2 of the Union Territories (Laws) Act, 1950 (30 of 1950), the Indian Stamp Act, 1899, as in force in that Union territory immediately before the date of such notification, shall stand repealed.

(b) On the date on which the Indian Stamp Act, 1899, as in force in the State of Assam, is extended to the Union territory of Tripura by notification under section 2 of the

Union Territories (Laws) Act, 1950, the Indian Stamp Act, 1899, as in force in that Union territory immediately before the date of such notification, shall stand repealed.

6. *Validation of levy of stamp duties in certain cases.*—Any stamp duties levied and collected in the Union territory of Manipur during the period commencing on the 16th day of April, 1950, and ending on the date on which the Indian Stamp Act, 1899 (2 of 1899), as in force in the State of Assam is extended to that Union territory under section 5, in the belief that the Indian Stamp Act, 1899 as in force in the State of Assam immediately before the 16th day of April, 1950, was applicable to that Union territory, shall be deemed always to have been levied and collected in accordance with law.

Assented to on 2-9-61.

THE DADRA AND NAGAR HAVELI ACT, 1961
(ACT No. 35 OF 1961)

AN
ACT

to make provision for the representation of the Union territory of Dadra and Nagar Haveli in Parliament and for the administration of that Union territory and for matters connected therewith.

BE it enacted by Parliament in the Twelfth Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Dadra and Nagar Haveli Act, 1961.

(2) It extends to the whole of the Union territory of Dadra and Nagar Haveli.

(3) It shall be deemed to have come into force on the 11th day of August, 1961.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) “Administrator” means the Administrator of the Union territory of Dadra and Nagar Haveli appointed by the President under article 239 of the Constitution;

(b) “appointed day” means the eleventh day of August, 1961;

(c) “Dadra and Nagar Haveli” means the Union territory of Dadra and Nagar Haveli;

(d) “Varishta Panchayat” means the Varishta Panchayat as in existence immediately before the appointed day.

3. *Representation in the House of the People.*—(1) There shall be allotted one seat to the Union territory Dadra and Nagar Haveli in the House of the People.

(2) In the Representation of the People Act, 1950,—

(a) in section 4, in sub-section (1), after the words “to the Laccadive, Minicoy and Amindivi Islands”, the words, “to Dadra and Nagar Haveli” shall be inserted;

(b) in the First Schedule,—

(i) after entry 21, the following entry shall be inserted, namely:—

“22. Dadra and Nagar Haveli.....1”;

(ii) entries 22 and 23 shall be re-numbered as entries 23 and 24 respectively.

(3) In the Representation of the People Act, 1951 (43 of 1951), in section 4, after the words “to the Laccadive, Minicoy and Amindivi Islands”, the words, “to Dadra and Nagar Haveli” shall be inserted.

4. *Varishta Panchayat.*—(1) Until other provision is made by law, as from the commencement of this Act the Varishta Panchayat shall have the right to discuss and make recommendations to the Administrator on,—

(a) matters of administration involving general policy and schemes of development;

(b) any other matter referred to it by the Administrator.

(2) The functions of the Varishta Panchayat referred to in this section will be advisory only but due regard shall be given to such advice by the Administrator in reaching decisions on the matter in relation to which the advice is given.

(3) No act or proceeding of the Varishta Panchayat shall be invalid by reason only of the existence of any vacancy amongst its members or any defect in the constitution thereof.

(4) Every member of the Varishta Panchayat shall before entering upon his duties under this Act make and subscribe before the Administrator an oath or affirmation in the following form, namely:—

“I, A. B., a Member of the Varishta Panchayat of the Union territory of Dadra and Nagar Haveli, do swear in the name of God

solemnly affirm

that I will bear true faith and allegiance to the Constitution of India as by law established and that I will faithfully discharge the duty upon which I am about to enter.”

5. *Other functionaries.* Without prejudice to the powers of the Central Government to appoint from time to time such officers and authorities as may be necessary for the administration of Dadra and Nagar Haveli, all judges, magistrates and other officers and authorities who immediately before the appointed day were exercising lawful functions in Free Dadra and Nagar Haveli or any part thereof shall, until other provision is made by law, continue to exercise in connection with the administration of Dadra and Nagar Haveli their respective functions in the same manner and to the same extent as before the appointed day.

6. *Property and assets.*—It is hereby declared that all property and assets which immediately before the appointed day vested in the Varishta Panchayat or the Administrator of Free Dadra and Nagar Haveli shall, as from that day, vest in the Union.

7. *Rights and obligations.*—All rights, liabilities and obligations of the Varishta Panchayat or the Administrator of Free Dadra and Nagar Haveli in relation to Free Dadra and Nagar Haveli shall, as from the appointed day, be the rights, liabilities and obligations of the Central Government.

8. *Continuance of existing laws.* Save as otherwise provided in this Act all laws in force in Free Dadra and Nagar Haveli immediately before the appointed day shall continue to be in force until repealed or amended by Parliament or other competent authority.

9. *Continuance of existing taxes.* All taxes, duties, cesses or fees which, immediately before the appointed day, were being lawfully levied in Free Dadra and Nagar Haveli or any part thereof shall continue to be levied and to be applied to the same purposes, until other provision is made by Parliament or other competent authority.

10. *Power to extend enactments to Dadra and Nagar Haveli.*—The Central Government may, by notification “in the Official Gazette, extend with such restrictions or modifications as it thinks fit, to Dadra and Nagar Haveli any enactment which is in force in a State at the date of the notification.

11. *Extension of the jurisdiction of Bombay High Court to Dadra and Nagar Haveli.*—As from such date as the Central Government may, by notification in the Official Gazette, specify the jurisdiction of the High Court at Bombay shall extend to Dadra and Nagar Haveli.

12. *Powers of courts and other authorities for purposes of facilitating the application of laws.*—For the purpose of facilitating the application of any law in Dadra and Nagar Haveli, any court or other authority may construe any such law with such alterations not affecting the substance, as may be necessary or proper to adapt it to the matter before the court or other authority.

13. *Power to remove difficulties.*—(1) If any difficulty arises in giving effect to the provisions of this Act or in connection with the administration of Dadra and Nagar Haveli, the Central Government may, by order, make such further provision as appears to it to be necessary or expedient for removing the difficulty.

(2) Any order under sub-section (1) may be made so as to be retrospective to any date not earlier than the appointed day.

14. *Power to make rules.*—(1) The Central Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:—

- (a) the manner in which casual vacancies in the Varishta Panchayat may be filled;
- (b) the meetings of the Varishta Panchayat, the conduct of business and the procedure to be followed at such meetings;
- (c) any other matter which has to be, or may be, prescribed.

(3) Every rule made under this Act shall be laid as soon as may be after it is made before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if before the expiry of that session in which it is so laid or the session immediately following both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Assented to on 5-9-61.

THE NEWSPAPER (PRICE AND PAGE) CONTINUANCE ACT, 1961 (ACT No. 36 OF 1961)

AN
ACT

to continue the Newspaper (Price and Page) Act, 1956

BE it enacted by Parliament in the Twelfth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Newspaper (Price and Page) Continuance Act, 1961.

2. *Amendment of section. 1.*—In section 1 of the Newspaper (Price and Page) Act, 1956 (45 of 1956), sub-section (3) shall be omitted.